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COMMITTEE ON THE RIGHTS OF THE CHILD

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 44 OF THE CONVENTION

Initial reports of States parties due in 1993

Addendum

ETHIOPIA

[10 August 1995]

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List of acronyms

ARI	-	Acute respiratory infection
CDD	-	Control of diarrhoeal diseases
CCF	-	Christian Children's Fund
CEC	-	Community Education Center
CSA	-	Central Statistical Authority
CYFWO	-	Children's, Youth and Family Welfare Organization
EE	-	Environmental education
EEP	-	Environmental Education Project
EPC	-	Ethiopian Penal Code
EPI	-	Expanded Programme of Immunization
IMF	-	International Monetary Fund
MCH	-	Maternal and child health
MOCS	-	Ministry of Culture and Sports
MOE	-	Ministry of Education
MOH	-	Ministry of Health
MOI	-	Ministry of Information
MOLSA	-	Ministry of Labour and Social Affairs
NGOs	-	Non-governmental organizations
NPA	-	National Programme of Action
ORT	-	Oral rehydration therapy
PHC	-	Primary health care
RRC	-	Relief and Rehabilitation Commission
SCF/USA	-	Save the Children Fund/USA
SIDA	-	Swedish International Development Agency
TGE	-	Transitional Government of Ethiopia
TT2	-	Tetanus toxoid
TVET	-	Technical and vocational education and training
UNICEF	-	United Nations Children's Fund
VIP	-	Ventilated improved pit latrine

Introduction

1. This report was prepared pursuant to article 44 of the Convention on the Rights of the Child, and on the basis of the general guidelines regarding the form and content of the initial reports to be submitted by States parties (CRC/C/5).

2. The report is an outcome of the cooperative effort of various government institutions and non-governmental organizations. The government body responsible for preparing the report was the Children's, Youth and Family Welfare Organization under the Ministry of Labour and Social Affairs, with the active participation of the Ministries of Justice, Education, Health, Information and Culture and Sports.

3. The Transitional Government of Ethiopia adopted and ratified the Convention on the Rights of the Child on 9 December 1991. Following its ratification by the Council of Representatives, the Convention became part of the legal system of the country by proclamation No. 10/1992 and was published in the Negarit gazette on 30 January 1992. It empowers the Ministry of Labour and Social Affairs to undertake all acts necessary for the implementation of the Convention.

4. Since the World Summit for Children in 1990, a change of government has taken place in Ethiopia. After 30 years of civil war which claimed numerous lives and caused immense damage to property, a National Conference on Peace and Democracy was convened at Addis Ababa from 1-5 July 1991. Representatives of political organizations and other democratic and peace-loving forces participated in the conference and approved the National Charter for Peace and Democracy, thereby creating the Transitional Government of Ethiopia. The Charter affirmed the rights of Ethiopians to exercise the freedoms of speech, the press, assembly, and religion. It also emphasized the right to form political parties, an independent judiciary and the rights of nationalities to administer their own affairs within their own defined territory. With respect to human rights, the Charter specifically notes that individual human rights shall be respected fully and without any limitation whatsoever. Under the agreed Charter, the TGE will hold power until national elections are called under a new constitution. The TGE has started the process of establishing a democratic and decentralized political system. The country now consists of 14 regions and local and regional elections have already taken place. A new constitution has been drafted and a constituent assembly that will discuss and adopt the draft constitution has been elected.

5. The Charter has been declared to be the supreme law of the country for the duration of the transition period, and it has brought about fundamental change in the area of basic freedoms and human rights. The draft constitution that will replace the National Charter has a distinct section relating to the protection of the rights of the child.

6. It should be noted that the legal rights of children stipulated in the laws and other legal instruments of the country are by and large compatible with the provisions of the Convention on the Rights of the Child.

The main problems hampering the implementation of the Convention lie in the poor socio-economic condition of the country and the lack of adequate and effective implementation mechanisms.

7. Ethiopia's per capital income, at US$ 120, is one of the lowest in the world. By May 1991, the TGE had inherited a shattered economy which was a result mainly of the protracted and costly civil war, poor economic management, disastrous policies, serious environmental degradation, a rapidly increasing population, an unfavourable international economic climate and a host of structural constraints. This was further complicated by chronic problems of underdevelopment such as low productivity, subsistence agriculture, backward technology, poor infrastructure, inadequate resource mobilization and poorly developed human resources. All these factors have combined to produce destitution on a massive scale.

8. The above situation was accompanied by a social crisis involving millions of displaced persons, refugees, demobilized solders, and homeless and unemployed people. It is estimated that in 1992, there were about 27 million people (about half of the population) in all categories of poverty. In addition to the chronic poor in the rural and urban areas, amounting to 17 million, there were about 7 million people in the rural areas who were affected by drought, while another 3 million people were among the transitory poor, and included the displaced, refugees, returnees and demobilized soldiers. In this connection the demobilization of more than 300,000 ex-soldiers, the displacement of around 250,000 families due to ethnic conflicts which took place in different parts of the country, and the return of about 400,000 refugees from neighbouring countries had exacerbated the prevailing sccial problems, primarily the problem of unemployment. Consequently, there has been a dramatic rise in the number of street children, the disabled, beggars, etc. in the major urban centres, especially in Addis Ababa. Such groups and their families lead a very precarious existence. It is apparent that those most affected by such adverse socio-economic conditions are primarily children who comprise nearly 50 per cent of the Ethiopian population. Furthermore, even though their actual number remains unknown, due to years of war and recurrent drought Ethiopian children have experienced untold suffering as orphans, refugees and displaced persons.

9. The demographic situation is illustrated by the population projections of the Central Statistical Authority for the years 1984 to 1995. In 1994, the population of Ethiopia stood at 52.8 million inhabitants of whom 89 per cent (47 million) and 11 per cent (5.8 million) reside in rural and urban areas respectively.

10. In 1994 children under the age of 15 years (24.5 million) account for 46.5 per cent of the total population. Of this 17.7 per cent were 0-4 years, 16.2 per cent were 5-9 years and 12.6 per cent were 10-14 years old. The annual growth rate of the population is currently around 3 per cent but it is expected to rise to over 3 per cent by the mid-1990s. According to a survey undertaken by the CSA (1990) the total fertility rate was 7.7 children per woman.

11. A review of the major indicators on child welfare for 1990 shows that the situation of children in Ethiopia is quite grave. In one year, out of 1,000 infants born alive, 111 (or about 600 a day) die before their first birthday, and 161 die before they are five; 46 per cent of these deaths are due to diarrhoea. Other major killers are acute respiratory infections, intestinal parasites, malaria and malnutrition. The oral rehydration rate is only 38 per cent. It is estimated that only 10 per cent of the 9.3 million children under the age of five use modern health service facilities. Immunization coverage is low. According to routine reports (1993) the coverage for BCG, DPT 3, polio 3 and measles were 46 per cent, 28 per cent, 28 per cent and 23 per cent respectively. The coverage for TT2 + in pregnant women was only 13 per cent (MOH). Childhood malnutrition is rampant. The percentage of children between the ages of 6 and 59 months suffering from underweight, wasting and stunting was 47 per cent, 8 per cent and 64 per cent respectively (CSA).

12. Fewer than 35 per cent of children of eligible age are now enrolled in primary schools, while 18 per cent are enrolled at the secondary level and 1 per cent at the tertiary level. Some 5-6 million children still have no access to basic schooling. In addition, there are over 1.5 million disabled children, of whom only an insignificant number get basic services.

13. The implementation of the Convention on the Rights of the Child has, therefore, to be seen in the light of the legacies of the military regime, severe resource constraints and the long time span required to solve some of the basic problems related to survival and development. In spite of the serious challenges facing the country, the Transitional Government has undertaken a lot of interrelated and complementary measures on the economic and social fronts during its first three years. To improve the situation of women and children in Ethiopia, the priority task is to accelerate the overall socio-economic development of the country. Hence, in order to revitalize the economy and create a conducive environment, the Government has issued the necessary macro-policies which would serve as a broad framework for the economic and social development of the country. The Government is committed to the encouragement of private capital participation, free competition and a liberalized market economy, and these measures are expected in turn to avoid lopsided development and ensure efficiency, productivity and sustainable economic growth. In this regard, the Government has already prepared and launched a structural adjustment programme in consultation with the IMF and the World Bank.

14. To facilitate the task of addressing the vast economic and social problems, the Government has taken a number of steps to improve the administrative efficiency at the central and regional levels, give priority and budgetary allocations to hitherto neglected and war-affected regions and promote popular participation in development activities. The Regional Self-Government Establishment Proclamation No. 7/1992 came into force on 14 January 1992. The regional governments have the necessary legislative, executive and judicial powers. To meet their resource requirements regional administrations are given power to levy and collect taxes and could also benefit from transfers from the central Government.

15. The Transitional Government has enunciated a New Health Policy in September 1993. This policy explicitly states that special attention will be given to the health needs of the family, particularly to women and children. A National Policy on Ethiopian Women was also adopted during the same period. In April 1993, the Government adopted a National Population Policy. Accordingly, an Office of Population within the Office of the Prime Minister has been set up. A National Population Council comprised of relevant ministries and institutions has been established at the central level, with similar councils and offices of population at the regional and zonal levels and committees on population and related activities at the woreda level. A National Social Policy and a New Education Policy were adopted by the Government in 1994. The aims enunciated in these policies are compatible with the Convention on the Rights of the Child.

16. After 17 years of a military dictatorship that committed serious violations of human rights, the country is now at a stage of democratic transition. The current Government is committed to the realization of the provisions of the Convention subject to the objective possibilities of the country. Its commitment is reflected, first and foremost, by the ratification of the Convention and its incorporation into the country's legislation. It is also shown by the efforts made to prepare a National Programme of Action for children and women (1994-2000). Furthermore, it has to be mentioned that a proclamation (No. 102/1994) to ratify the standard basic cooperation agreement between the TGE and UNICEF was enacted on 29 August 1994.

17. The various social policy measures formulated and undertaken by the TGE during its three years in power represent a step forward in the social field which will benefit Ethiopian Children in the coming years. In view of the magnitude of the mass poverty and the serious constraints to development, the challenges faced by the TGE are indeed enormous. Nevertheless, a lot remains to be done to ensure the survival and development of Ethiopian children who are the hopes of the country. In this noble task the public, international organizations, bilateral institutions and NGOs have so far assisted the Government and participated in developmental activities. At this stage their continued assistance and participation within the framework of the goals and targets set by the Government and in favour of the survival and development of Ethiopian children need not be overemphasized.

I. GENERAL MEASURES OF IMPLEMENTATION

A. Measures taken to harmonize national law and policy with the provisions of the Convention

18. The civil and political rights of the child and the right of the child to basic freedoms have been recognized in Ethiopia as constitutional principles since 1955. However, both the 1955 and 1987 Constitutions imposed arbitrary restrictions on these fundamental freedoms. Such restrictions are now removed by the Transitional Period Charter which endorsed the Universal Declaration of Human Rights. The ratification and endorsement of the basic human rights instruments, including the Convention on the Rights of the Child, will have a direct bearing on existing and future legislation in Ethiopia.

19. The draft constitution of Ethiopia, which was widely discussed by the general public and by various political and interest groups, has a distinct section on the protection of the rights of the child. Under article 36, the following has been stated:

"1. Every child has the following rights:

(a) the right to life;

(b) the right to obtain name and nationality;

(c) the right to know and to be cared for by his parents or legal guardians;

(d) the right to be protected from labour exploitation and not to be forced to undertake work that may harm his education, health and well-being;

(e) the right to be free from harsh or inhuman punishments that may be inflicted on his body, in schools or child care institutions.

2. Child care should always be a priority consideration of the Government, private charity organizations or courts or administrative authorities or legislative organs, when any measure affecting children is to be taken.

3. Juvenile delinquents or children under the care of rehabilitation centres or children growing up in Government aid or children under the care of Government or private orphanages should be segregated from adults.

4. Children born out of wedlock have equal status and rights to children born in wedlock.

5. Special protection shall be given by law to orphans, systems by which children could be adopted should be facilitated and the establishment of institutions for the care and education of the child shall be encouraged."

20. Pursuant to the provisions of article 1 of the Civil Code of 1960, a child as a human person is entitled to exercise basic freedoms. The right of the child to parental care and legal protection is sufficiently covered by the Civil Code. The Penal Code as criminal legislation, adopted in 1957, provides ample protection for children against all forms of malicious treatment and exploitation by parents, guardians or other members of society.

21. Thus, it is believed that, with certain minor changes, the major Ethiopian laws (the Civil Code, the Penal Code, the Criminal Procedure Code, etc.) and the policies incorporated in the laws concerning the social services are quite sufficient to translate the Convention on the Rights of the Child.

The required amendments (minor) to the existing laws could be worked out at a later stage pending the adoption of the draft constitution, and in line with the ratification and implementation of the NPA.

22. The following major policies were enunciated between 1992 and 1994:

(a) New Economic Policy;

(b) Health Policy of the TGE;

(c) National Population Policy;

(d) National Policy on Ethiopian Women;

(e) National Social Policy;

(f) Education Policy;

(g) National Disaster Prevention and Management Strategy.

23. Other policy instruments and strategies, such as the draft social welfare policy, the National Food and Nutrition Strategy and the National Conservation Strategy, are being finalized. The draft constitution and the aforementioned policy instruments that are already adopted or awaiting ratification by the relevant authorities will have a positive impact on the welfare of children and will contribute to the implementation of the Convention on the Rights of the Child.

B. Existing or planned mechanisms at national or local level for coordinating policies relating to children and for monitoring the implementation of the Convention

24. Proclamation No. 10/1992 empowered the Ministry of Labour and Social Affairs to undertake all acts necessary for the implementation of the Convention. In this respect CYFWO, established by proclamation No. 208 of 1981, is a semi-autonomous government agency within MOLSA with the following objectives:

(a) To make government institutions and the society at large aware of the special needs of children;

(b) To encourage, coordinate and supervise, by following up their well-being, all efforts made for the attainment of an all-round physical, mental and emotional development of children.

Towards these ends, CYFWO works closely with a number of NGOs and is involved in various programmes designed for the well-being and proper upbringing of children.

25. For purposes of monitoring the implementation of the Convention on the Rights of the Child, a National Inter-Ministerial Committee was formed in 1994, consisting of members from the Ministries of Labour, Health, Education, Information, Justice, Culture and Sports, the Police Commission and CYFWO.

This Committee is chaired by MOLSA and CYFWO acts as the secretariat. Similar committees have been formed in most of the regional, zonal and woreda administrations, consisting of members from the above institutions. The regional administrations have already taken steps for the setting up of such committees at the community level.

26. Based on the earlier commitment to the Plan of Action for implementing the World Declaration on the Survival, Protection and Development of Children adopted by the World Summit in 1990, the TGE has prepared a draft National Programme of Action for Children and Women (1994-2000). It was prepared under the auspices of a steering committee composed of CYFWO, the Ministry of External Economic Cooperation, UNICEF and the Ministry of Planning and Economic Development, in collaboration with all concerned government institutions.

27. The draft NPA was formulated taking the specific realities and capacities of the society into account, hence the goals set are less ambitious than the global goals set by the Summit. It establishes objectives and guidelines for the decade which will make it possible to improve the living standards and welfare of children and young people in the country.

28. The draft NPA is a turning point in the development efforts of the country. It poses immense challenges for the Government, NGOs, international organizations and for all citizens in putting into effect the set of targets with respect to the survival, protection and development of children. By bringing into focus the essential goals, strategies and actions of the various sectors, and by ensuring the coordination and complementarity of their efforts, it will enhance and promote the activities of governmental, non-governmental and community organizations.

29. As stated in the draft NPA, the operationalization of the programmes will be undertaken as part and parcel of the National Development Plan, to be executed through existing governmental institutional structures and community organizations. As experienced in the Rural Integrated Basic Services approach promoted by UNICEF, a multisectoral and integrated approach to development will ensure intersectoral coordination and popular participation of the communities. This approach will be used during the implementation of the NPA. The programmes covered by the NPA have been designed to operate at different levels. At the central government level, the programme will focus on policy, advocacy and social mobilization in support of regional and woreda-level programmes. At the regional level programmes will focus on improving the capacities of regional and woreda governmental and non-governmental agencies to assess needs and to plan, implement and monitor community-based programmes in support of women and children. At the community level the programme will focus on building the capabilities of parents and communities to manage their own development. For this purpose development committees will be set up at the grass-roots level.

30. As regards monitoring of the NPA, the establishment of appropriate mechanisms for the regular and timely collection, processing, analysis and publication of information required to monitor progress towards the achievement of the Summit's goals is of crucial importance. Statistics on indicators relating to the well-being of children will be compiled regularly.

Baseline data for the indicators will either be compiled from existing records or obtained through new surveys. These monitoring and follow-up mechanisms will ensure that the necessary means are provided to make the NPA an efficient and effective planning instrument in favour of children and young people in Ethiopia.

C. Measures to publicize the Convention

31. Since the ratification of the Convention, the following activities were undertaken by CYFWO:

(a) The Convention was translated into Amharic (10,000 copies) and into five different nationality languages (2,000 copies each in Sidamgna, Wolaitigna, Somaligna, Hadiyigna and Afarigna), and has been distributed to organizations and individuals. Posters on the rights of the child prepared in different national languages were also distributed by CYFWO;

(b) To introduce the Convention, a national workshop and regional seminars were organized for representatives of governmental and non-governmental institutions and the regional offices. The workshop focused on the duties and responsibilities of the committees set up at the central and regional levels for monitoring the implementation of the Convention;

(c) In collaboration with UNICEF, CYFWO had organized various programmes since 1992 to celebrate the Day of the African Child and used these occasions for the dissemination of child-related programmes through the mass media;

(d) A documentary film on street children was prepared by CYFWO in 1994.

32. In 1993/94 the following activities were undertaken by the Ministry of Information:

(a) Ethiopian television presented a programme on the Convention that was based on a translation of a UNICEF document into Amharic. Other programmes pertained to children in difficult circumstances (street children and orphans) and child abuse and a special programme was shown on the Day of the African Child;

(b) Different programmes on child rights, care for the mentally retarded, the annual report of UNICEF, prevention of child prostitution, etc. were aired by the National Service of Radio Ethiopia. The press, in particular the Amharic weekly, carried articles on street children, child beggars and disabled children;

(c) During the past two and a half years, under the auspices of the MOI, a series of panel discussions on different aspects of the Convention and especially on the problems of street children were conducted by representatives of governmental and non-governmental organizations. During the same period, dramas pertaining to the situation of Ethiopian children were staged by the MOI through the national radio and television network.

33. In 1994, most of the regional committees that were set up to monitor the implementation of the Convention organized a number of activities in their respective region, such as seminars for heads of regional bureaux of government institutions and representatives of woreda women's associations, and gave briefings on the contents of the Convention to primary school supervisors and to secondary school students and teaching staff.

34. With respect to non-governmental efforts several NGOs carried out various activities aimed at promotion and dissemination of the Convention. The major activities undertaken by NGOs during the past two and half years could be summarized as follows:

(a) Since 1992, workshops focusing on children in difficult circumstances and on child advocacy issues based on the Convention were conducted by NGOs. For instance, familiarization workshops for journalists and artists on the problem of streetism, workshops for district administrators and for Addis Ababa school directors and briefing programmes for members of the police force and for new police recruits were conducted by various NGOs. The participants included representatives of relevant government institutions and most of the non-governmental organizations involved in child welfare activities;

(b) A series of panel discussions on the problem of streetism, child abuse and neglect, etc., were conducted for project managers and programme coordinators working in different organizations undertaking programmes for street children;

(c) The Amharic/English version of the Convention was reprinted in 10,000 copies and distributed to schoolteachers, parents, health workers and other concerned NGO personnel. The Convention was translated by one NGO and published in Oromigna (15,000 copies) and Tigrigna (5,000 copies) and distributed in Oromia and Tigray regions respectively. The same NGO has undertaken the translation of the Convention into Guragigna; publication and distribution will have taken place by the end of 1994;

(d) An NGO is in the process of publishing a newsletter, entitled "Children's Voice", that will provide information on the activities of NGOs working for the rights of children;

(e) A booklet in Amharic on child abuse, neglect and exploitation was published in 7,000 copies and distributed to relevant governmental and non-governmental organizations and to all primary schools in Addis Ababa, while leaflets and documents depicting the situation of street children were published by another NGO;

(f) Three posters on selected principles of the Convention, viz. the right to life, family care and respect for the views of the child, illustrated by colour drawings, were prepared in three languages (Amharic, Oromigna, and Tigrigna) and are being printed in 3,000 copies each;

(g) In 1992, an exhibition entitled "Lives of Ethiopian children as depicted by artists" was arranged at the assembly hall of the municipality of Addis Ababa by an NGO in cooperation with the Addis Ababa School of Fine Arts;

(h) A project plan was prepared and a child advocacy project was launched in January 1993 aimed at sensitizing the general public (lawyers, policemen, teachers, parents and children themselves), to the rights of the child as stipulated in the Convention;

(i) An NGO is in the process of initiating child's rights activities in all counterpart organizations, and in this connection it envisaged organizing a training session for relevant project officers before the end of 1994. It also plans to approach relevant government organizations and other NGOs in order to include lessons on child's rights issues in the curricula of kindergartens and primary and junior secondary schools.

II. DEFINITION OF THE CHILD

35. The Civil Code of 1960 defines the word child as a "minor" of either sex who has not attained the full age of 18 years. This definition is compatible with that provided in the Convention on the Rights of the Child. Though the age of attaining majority is 18 years, for specific purposes a child may be emancipated at an earlier age. Emancipation takes places either by marriage or upon authorization of the family council.

36. In Ethiopia, there are other laws, e.g. Penal Code, Labour Law, etc., which fix various age levels for specific purposes defined by such laws. These laws do not affect the principle of attainment of majority established by the Civil Code. According to these laws persons who are not of age are allowed to perform acts and enter into contracts before they reach the age of majority, as specified below.

A. Access to employment

37. As regards employment, labour proclamation No. 42/1993 has the following provisions:

(a) For the purposes of the labour proclamation "young worker" means a person who has attained the age of 14 but is not over the age of 18 years. The proclamation prohibits the employment of a child under 14 years of age (art. 89 (2));

(b) It is prohibited to employ young workers in work which on account of its nature or due to the condition in which it is carried out endangers the life or health of the young workers performing it. The list of activities prohibited to young workers includes:

(i) Work in the transport of passengers and goods by roads, railways, air, and internal waterways, docksides and warehouses involving heavy lifting, pulling or pushing or any other related type of labour;

(ii) Work connected with electric power generation plants, transformers or transmission lines;

(iii) Underground work, such as mines, quarries and similar works;

(iv) Work in sewers and tunnels;

(c) Normal hours of work for young workers shall not exceed seven hours a day (art. 90). It is also prohibited to employ young workers on night work between 10 p.m. and 6 a.m., overtime work, weekly rest days or public holidays (art. 91).

Despite these provisions, however, a large number of children work in the informal sector, without any form of legal protection.

B. Minimum marriageable age

38. According to the Civil Code (art. 581 (1)), a man who has not attained the full age of 18 years and a women who has not attained the full age of 15 years may not contract marriage. Hence, for young males the minimum marriageable age is 18 years, while for young females it is 15 years. The marriage is invalid if it is contracted below the above-mentioned ages.

C. Giving testimony in court

39. This is a matter governed by judicial practice. A minor could testify in court with or without taking the oath depending on the discretion of the judge.

D. Criminal liability

40. For purposes of criminal liability, the Penal Code of 1957 classifies child offenders into three distinct age groups and prescribes distinct measures for their reform and rehabilitation. The first group, called "infants", is totally exonerated from application of the penal law. According to article 52 of the Penal Code infants not having attained the age of nine years are not criminally responsible for their acts and where an offence is committed by an infant appropriate steps may be taken by the family, school or guardianship authority to ensure their proper upbringing. The second group, addressed as "young persons" in the Penal Code, are children between the ages of 9 and 15 inclusive. For them, the Penal Code provides special punishments and measures upon conviction. They are not subject to the ordinary penalties applicable to adults nor shall they be kept in custody with adult offenders (art. 53). The third group are young persons between the ages of 15 and 18 and are treated under the ordinary provisions of the Penal Code as having the full prima facie liability of persons aged 18 and above (art. 56 (4)). However, the Penal Code provides that mitigation of the penalty is always permitted, the death penalty may never be imposed and, under certain conditions, the measures of penalty scheme for young offenders may be applied (arts. 56 (2), 188 and 182).

E. Deprivation of liberty

41. There are several circumstances in which a child may be deprived of his liberty. According to the Criminal Procedure Code and the Penal Code the following circumstances warrant deprivation of liberty of child offenders:

(a) Where the condition of the child offender involves a mental health problem, the court is bound to order his admission to a suitable institution (art. 162, Penal Code) where he is deprived of his liberty;

(b) School or home arrest where the offence is of small gravity;

(c) If the court finds that the character and disposition of the child offender are bad, it may exercise its discretion to order such a child to be admitted to a special institution designed for the correction and rehabilitation of child offenders. According to article 167 of the Penal Code, the duration of such deprivation of liberty cannot exceed five years or be less than one year. The offender in a corrective institution should be provided with general, moral and vocational education;

(d) Supervised education where the child offender is morally abandoned or is exposed to the danger of corruption;

(e) Where the application of curative, educational and corrective measures fail to bring about the reform and rehabilitation desired for the child offender, article 170 of the Penal Code authorizes the court to sentence the child offender. The sentence could be a fine, corporal punishment or imprisonment.

F. Imprisonment

42. The penalty of imprisonment may be imposed when a young offender has committed a serious offence which is normally punishable with a term of rigorous imprisonment of 10 years or more or with capital punishment. In such a case, the court may order him to be sent:

(a) Either to a corrective institution where special measures for safety, segregation or discipline can be applied to him in the general interest; or

(b) To a penitentiary detention institution (by which is meant an ordinary prison) if the court finds the youth incorrigible and likely to be a cause of trouble, insecurity or corruption of others (art. 173 (1), EPC).

43. In imposing the imprisonment penalty, the court is expected to determine the period of detention to be undergone according to the gravity of the act committed and having regard to the age of the offender at the time of the offence. It shall not be for less than 3 years and may extend to a period of 10 years (art. 173 (2)). The principle of segregation is, however, applied when the youth is sent to a penitentiary detention institution. However, due to lack of premises juvenile offenders are in practice not kept separated from adult prisoners.

44. The penalty of imprisonment will not be ordered unless one of the special measures has been tried and has failed; the penalty of imprisonment is not mandatory and the court may merely impose one of the lesser penalties even where the conviction is for an offence defined as "serious".

45. A youth sent to a corrective institution may subsequently be transferred to a penitentiary institution, where his conduct or the danger he constitutes render such a measure necessary or when he has attained the age of 18 years and the sentence passed on him is for a term extending beyond his majority.

In such a case the court shall, in determining the duration of the detention take into account the time spent in the corrective institution and the results, favourable or otherwise, thereby obtained (art. 173 (2)).

46. In no circumstances can judgements concerning juveniles be published. The measures and penalties may be entered in the police record merely for the information of the official administrative or judicial authorities concerned. In no case shall excerpts from the record be communicated to third parties.

G. Consumption of alcohol or drugs

47. It is prohibited to sell alcoholic beverages to minors under 18. Those dealing with, producing or purchasing alcoholic drinks are prohibited by law not to administer or serve alcohol to children. According to article 514 of the Penal Code, "who so ever endangers the health of another, intentionally and unscrupulously, by administering or serving, or by causing or permitting to be administered or served to minors ... alcoholic beverages or spirituous liquors of such kind or in such quantity as to make their injurious effect certain or probable ... is punishable with simple imprisonment ...".

48. Similarly, article 510 (3 b) of the Penal Code prohibits the sale of drugs. The court could pass a sentence of rigorous imprisonment not exceeding five years and impose a fine not exceeding 30,000 birr where a forbidden toxic substance is furnished for gain or improper motive to an infant or young person.

H. Civil and civic rights

49. In accordance with the proclamation to provide for the Electoral Law of Ethiopia No. 64/1993, any Ethiopian who is 18 or more years old on the date of registration shall be eligible for registration as an elector (art. 16) while any person registered as an elector shall be eligible for candidature where he is 21 or more years old on the date of election (art. 38).

I. Compulsory education

50. Primary education has not yet been made compulsory. Earlier laws and policies on education (1987) had the objective of introducing compulsory education, step by step, for all school-age children and devising ways and means to provide free education for all citizens. Currently, the New Education Policy of the Transitional Government aims to make basic education accessible to all and guarantees that pre-school and primary education including the first cycle (grade 9-10) of secondary education shall be given free of charge. The above principles are confirmed in the National Social Policy of the TGE, which considers education as a right of all citizens.

J. Sexual consent

51. According to the provisions of the Ethiopian Penal Code sexual consent shall not be sought from children under the age of 18 years. According to article 594 (1), causing an infant or young person under 15 years of age to have sexual intercourse or performing an act corresponding to a sexual act is punishable with rigorous imprisonment not exceeding five years.

52. Not only sexual outrage proper is a punishable offence by law: any other indecent act upon an infant or young person, inducing a child to perform such an act or deliberately performing such an act in the presence of the child is punishable according to the circumstances, with rigorous imprisonment not exceeding five years or with simple imprisonment for not less than three months (art. 594 (2)). Where the victim is the pupil, apprentice, school boarder or domestic servant of the offender or is in any other way directly dependent upon or subordinate to him, or is the offender's adopted child, the child of his spouse, his ward or a child entrusted to his custody or care, the punishment is more severe and shall be rigorous imprisonment not exceeding eight years (art. 594 (3)).

53. Seduction is also a criminal act. Therefore, taking unfair advantage of the inexperience or trust of a female minor between 15 and 18 years age, inducing her to have sexual intercourse with him, whether by promise of marriage, trickery or otherwise is punishable with simple imprisonment (art. 596). Infants or young persons seduced or led astray are, however, protected by law and, therefore, in all cases of sexual outrage the infant or young person seduced or victim of the action of an adult accused person is not liable to punishment (art. 597 (1)).

III. GENERAL PRINCIPLES

54. As mentioned in paragraph 18, based on the Universal Declaration of Human Rights, the Transitional Period Charter establishes that individual human rights shall be respected fully and without any limitation whatsoever. Both the Charter and the draft constitution guarantee respect for individual human rights and are therefore the sources of the general principles mentioned hereunder.

A. Non-discrimination

55. In the exercise of civil, political or property rights, the law does not draw any distinction between persons, including children, on the bases of race, colour, sex or religion. This principle is affirmed by the Transitional Period Charter and the draft constitution.

B. Best interests of the child

56. The Civil Code of 1960 incorporates a number of provisions that make up the principle of "the best interests of the child". It is particularly mentioned in relation to the appointment of guardians and tutors to the child, placing his custody in the event of dissolution of marriage, choice of type of education, income, conditions for approval of adoption and other similar issues pertaining to the child's welfare. For instance, according to article 681 (1) of the Civil Code, "the custody and maintenance of children born of the marriage shall be regulated having regard solely to the interest of such children".

C. The right to life, survival and development

57. Earlier legislation, including the Constitution of 1987, guaranteed the right of all persons to life. The draft constitution of Ethiopia, in

article 36, confirms the right of every child to life. The law is also against infanticide and abortion. A mother carrying out an illegal abortion and those who have deliberately collaborated have criminal responsibility for offences against life unborn (art. 528, Penal Code).

58. Concerning the right to survival and development, the National Social Policy specifically states that priority shall be given and all efforts made for the attainment of the physical, mental and psychological development of children. One of the objectives of the Transitional Government is the reduction of poverty and ensuring better living conditions for the population. To this end, necessary macroeconomic policies that will accelerate the socio-economic development of the country have been issued. The implementation of these policies will contribute to the improvement of basic services such as nutrition, health care, education, sanitation, housing, etc., and thereby ensure the survival and development of Ethiopian children.

D. Respect for the views of the child

59. The Transitional Period Charter establishes that "every individual shall have freedom of expression". According to article 14 of the Civil Code, every person, including a child, is free to think and to express his ideas.

60. Respect for the views of the child is not uncommon under the Civil Code. According to article 304, "where a minor is capable of discernment and at least 15 years old, he shall as far as possible be consulted on all important matters concerning him". The law stipulates that the views of the child shall be heard beforehand in cases where the court is to appoint or remove a person as guardian or tutor of a minor.

IV. CIVIL RIGHTS AND FREEDOMS

A. Name and nationality

61. According to the Civil Code of 1960, a child shall have the name of his father. Where the father of the child is not known, or the child has been disowned, the child shall have the family name of his mother. The same will happen where the paternity of the child has been judicially declared (art. 33).

62. The first name of the child shall be chosen by his father or, in his default, by the family of his father. An additional first name may be chosen for the child by his mother or, in her default, the family of the mother may give two first names to the child where his father is unknown or the child has no family on the paternal side (art. 34).

63. The patronymic of the child is the usual first name of the father of the child. The child shall have no patronymic where his father is unknown (art. 36).

64. The officer of civil status of the commune where the child is born shall be informed of the first names of the child and of his patronymic within 90 days following his birth, by the person who is bound to declare the birth of the child (art. 37).

65. A child whose father and mother are not known shall have the name and two first names which are given to him by the officer of civil status in his record of birth (art. 39 (1)).

66. With respect to nationality, the draft constitution stipulates that any person whose father or mother is Ethiopian is an Ethiopian citizen (art. 6 (1)). The Ethiopian Nationality Law of 1930 further states that every child born in a lawful mixed marriage has the nationality of his father (art. 6). A child born in a lawful marriage of an Ethiopian mother with a foreigner is always able to recover the benefit of Ethiopian nationality, provided he lives in Ethiopia and proves he is completely divested of the paternal authority (art. 7). If the lawful marriage according to the national law of the foreign father is posterior to the birth of the child issued from his relations with an Ethiopian woman, the child legitimated through this subsequent marriage has the nationality of his foreign father only on condition that the national law of the latter confers upon him the foreign nationality with all inhering rights: otherwise, the child preserves his Ethiopian nationality (art. 8).

67. The adoption of an Ethiopian child by a man or woman of foreign nationality, the adoption being made in accordance with the forms of law of the adopting person, does not imply any change of the adopted child's original nationality (art. 10).

B. Preservation of Identity

68. As stipulated in the Civil Code, the first name of a child is chosen with the intention of distinguishing the individuality of the child in the family. According to article 38, it is forbidden to give a child the first name of his father or his mother or that of one of his brothers sisters who are alive. In such cases he shall have another first name which distinguishes him from them. The rationale for this restriction is that first names distinguish a child from the rest of his family members. Another legal limitation pertains to change or cancellation of names. According to articles 42 and 43 of the Civil Code, changes or cancellation of first names, patronymic or family names is not permitted by law, except by permission. Cancellation or change of first names cannot be carried out unless the court so authorizes. These provisions and limitations indicate the concern of the law for preserving the identity of the child.

C. Freedom of expression

69. Article 1 (a) of the Transitional Period Charter guarantees the right of all persons freely to express opinions, without censorship. Article 29 of the draft constitution affirms this right.

D. Freedom of thought, conscience and religion

70. The Transitional Period Charter (art. 1 (a)) and the draft constitution (art. 27) guarantee the right of all persons to freedom of conscience. According to the Civil Code, every person is free to think and to express his ideas. The only restrictions which this liberty admits of are those which are imposed by the respect for the rights of others, morality and the law

(art. 14). There shall be no interference with the exercise, in accordance with the law, of the rites of any religion or creed, provided that such rites are not utilized for political purposes or are not prejudicial to public order or morality (art. 15).

E. Freedom of association and of peaceful assembly

71. The right of all persons to freedom of conscience, expression, association and peaceable assembly is guaranteed by article 1 (a) of the Transitional Period Charter and by articles 27-30 of the draft constitution.

F. Protection of privacy

72. As recognized by article 26 of the draft constitution and by the recently adopted International Bill of Human Rights, children in Ethiopia enjoy the right to freedom from arbitrary interference with privacy. The Civil Code (art. 13) prescribes that the domicile of a physical person is inviolable and no one may enter the domicile of another against the will of such person, neither may a search be effected therein, except in the cases provided by law. Violation of privacy of domicile and violation of privacy, interception or appropriation of correspondence or consignments is punishable by law (arts. 571, 573, Penal Code).

V. FAMILY ENVIRONMENT AND ALTERNATIVE CARE

73. The social welfare component of the National Social Policy of the TGE states that, "Both the family which is the basic unit of society, as well as the institution of marriage, shall be supported and strengthened by the government and the society at large". However, due to the prevailing widespread poverty and lack of the required resources, the capacity to provide family support services is extremely limited. In this regard, the existing legal provisions and services are described below.

A. Parental responsibilities

74. The Civil Code (1960) has adequate provisions on the responsibility of child-rearing, the principles for providing guidance in child-rearing, State supervision over parental obligations and alternative child care institutions.

75. Under article 204 of the Civil Code, the father and the mother are, during their marriage, joint guardians and tutors of their minor children. Articles 637 and 638 of the Civil Code make child-rearing the responsibility of both parents. Where one of them is not in a position to undertake this duty due to disability, death, unworthiness or removal, the other spouse has a duty to perform the task. Article 205 (2) prescribes that the mother shall exercise such functions where the father of the child is unknown. According to article 637, parents, guardians, institutions of assistance and adopters assume the functions of child-rearing with a view to preparing the children for adulthood. Articles 265-270 further specify the responsibilities of parents or guardians with respect to fixing the residence, ensuring the health, directing the education, supervising the social contacts and administering the income of the child. The parent also has the obligation to represent his child in all civil matters. For the purpose of ensuring the

education of the child, parents and guardians are authorized to inflict light bodily punishment. The powers given to the parents or guardians are to be exercised only in the best interest of the child.

76. Where the child does not receive the care which his condition requires, a morally sound education or an instruction which accords with his disposition and especially where the child has committed a criminal offence as a result of bad education or due to lack of education on the part of his parents or guardian, the law has provided for their removal by the court (arts. 231, 233).

B. Separation of the parents

77. The Civil Code establishes the conditions governing the situation of children if their parents separate, as a result of divorce, annulment of marriage or de facto separation. In case of divorce, the family council appoints a guardian or a tutor to serve as an alternative care for the child (art. 206). Where the child no longer has his father and mother, and in default of a valid appointment made by the survivor, the function of guardian and tutor shall devolve on the relatives of the child in the order indicated in article 210 of the Civil Code. If it deems it necessary, the court has the option to entrust the function of guardian and tutor to an institution of assistance (art. 214).

C. Recovery of maintenance for the child

78. A child has the right of recovery of maintenance from his parents and in their absence from his relatives by consanguinity or affinity in the direct line (art. 808 (1), Civil Code). In the absence of his parents and his relatives by consanguinity or affinity in the direct line, it is an obligation of his brothers and sisters born of the same parents or born of the same father or the same mother to supply maintenance for the child (art. 808 (2)). The persons mentioned above shall feed, lodge, clothe and care for the health of the child in a decent manner, having regard to the social condition of the interested person and local custom (art. 807).

79. In case of divorce, the law gives primacy to the best interest of the child in awarding custody to either of his parents. The party who is not awarded the custody of children after divorce is not relieved of responsibility. He/she is still bound to contribute his/her share of the maintenance allowance to the child.

D. Children deprived of a family environment

80. One of the tasks of CYFWO is to establish and administer children's homes and to determine and supervise the basic requirements to be fulfilled by these institutions. It also has the duty to make the necessary effort to cause the establishment of children's homes wherever the services are needed. Family placement, foster care, youth hostels and adoption services for children deprived of their family are undertaken by the MOLSA and by several NGOs. The extent of such services is described in chapter VIII (special protection measures).

E. Adoption

81. "Adoption" is full assimilation of an outsider into a family as a child. In Ethiopia, the customary adoption processes are meant to result in complete social assimilation of the child. The parents agree to act towards the child as if he had been naturally born to them and not to discriminate if there are other children in the family.

82. Legally, the process results in the child being entitled to maintenance from the adoptive parents. He also becomes an intestate heir of the adoptive parents as if he had been born in the family and he inherits from his adoptive parents' relatives as well.

83. Customarily, an adoptive parent shall be of age. It is also traditional that a conceived child could be adopted before birth. The modern approach is that consent of both the mother and father of the child is required if they are alive and known or other relatives as surrogates if necessary.

84. Under article 975 of the Civil Code adoption is a bond of filiation created artificially by a contract of adoption between the adopter and the adopted child. The child to be adopted need not necessarily be an orphan. He can be a child who has both parents. The consent of both parents, and in the absence of one of them the nearest ascendants, and if there are no ascendants the consent of the family council is required for the adoption (art. 803, Civil Code). The contract has to be approved by a court of law. The court approves the adoption where it is proved to its satisfaction that there exists good cause for its making and that the adoption offers advantages for the adopted child (art. 805). Once the formality is complete, the contract of adoption cannot be revoked for any reason whatsoever (art. 806). Once adoption is effected the adopted child for all purposes is like the biological child of the adopter and is entitled to all the rights of a biological child.

85. The State, through MOLSA, provides the following services:

(a) Promotion of in-country adoption;

(b) Granting authorization for orphaned and destitute children under its care to leave Ethiopia for adoption;

(c) Maintenance of a register of children adopted abroad and foreign families who have adopted Ethiopian children.

86. The number of adopted children for the last three years is as follows:

Type of Adoption	No. of adopted children			
	1991/92	1992/93	1993/94	Total
In-country	1	3	-	4
Inter-country	252	308	311	871

87. In the past most of the Ethiopian children were adopted in Europe and North America. There is no data on in-country adoption since it is mostly effected through agreement between families as the custom requires, and not through the courts.

VI. BASIC HEALTH AND WELFARE

A. General background

88. The health status of the Ethiopian population is extremely low. The situation has deteriorated owing to the recurrence of drought and famine, overall food shortages and the retarded socio-economic development of the country. Health service coverage is only 45 per cent, while life expectancy at birth is 51 years.

89. Currently the infant mortality rate is 111 per 1,000. The infant under-five mortality rates have declined appreciably since the 1970s. The infant mortality rate declined from a level of 173.1 during 1971-1974 to 111 per 1,000 during 1991/92, whereas the under-five mortality rate declined from 219.1 during 1975-1979 to 161 per 1,000 during 1991/92.

90. Only 28 per cent (1993) of infants under one year of age are immunized with three doses of DPT (MOH). There are 2,094 health stations, 152 health centres and 72 hospitals for 52 million inhabitants. The shortage of trained health workers is critical with a doctor to population ratio of 1:29,000 and a nurse to population ratio of 1:14,000. The hospital bed ratio is 1:4,500.

91. Only 16 per cent of pregnant women are registered for antenatal care and less than 15 per cent of all deliveries are attended by trained health personnel. The rate of family planning coverage is only 4.8 per cent (CSA). According to the 1990 national family and fertility survey report (June 1993) undertaken by CSA, the total fertility rate was 7.7 children per woman (5.8 children per woman in urban and 8 per woman in rural areas). Since the 1984 census little change has been observed in the overall fertility level of the female population which showed some decline in urban areas, but remained stable in rural areas.

92. With domestic calorie availability of only 1,500-1,600 calories per person per day, Ethiopia evidences some of the worst indices of malnutrition. A study of children aged between 6 and 59 months showed that about 45 per cent were below 80 per cent of the weight for age median. About 12 per cent of the women were moderately malnourished. Malnutrition ranks third among the top 10 causes of infant and child morbidity and mortality. It is also one of the major causes of the high maternal mortality rate in the country.

93. Access to safe water is available to only 19 per cent of the population and only 7 per cent use sanitary means of excreta disposal. There are critical shortages of housing in urban areas and most of the available houses are of low standard. Furthermore, 80 per cent of the houses have no tap water in the house and compound, 91 per cent have no bath or shower, 90 per cent are without flush toilet, while 41 per cent use pit latrines and 50 per cent have no toilets at all. The solid waste collection and sewerage system is poor, while the waste disposal system is hazardous. In the rural areas such

sanitary services are almost non-existent. In general environmental hygiene is alarmingly poor. The high prevalence (60-80 per cent) of communicable diseases such as malaria, tuberculosis, diarrhoea and other similar diseases can be attributed to the poor environmental situation and improper personal hygiene practices.

B. Current health policy

94. The Health Policy of the TGE (1993) is a result of a critical examination of the nature, extent and primary causes of the prevailing health problems of the country. The Government accords health a prominent place in its order of priorities and believes that health policy should be seen in conjunction with other policies addressing population dynamics, food availability, acceptable living conditions and other requisites essential for health improvement. The general policy incorporates the following major principles:

(a) Democratization and decentralization of the health service system;

(b) Development of the preventive components of health care;

(c) Assurance of accessibility of health care for all segments of the population;

(d) Promotion of the participation of the private sector and non-governmental organizations in health care.

95. Child health is one of the priority areas of the policy which states that special attention shall be given to the health needs of:

(a) The family, particularly women and children;

(b) Those hitherto most neglected regions and segments of the population including the majority of the rural population, pastoralists, the urban poor and national minorities;

(c) Victims of man-made and natural disasters.

It also gives emphasis to the provision of appropriate support to the curative and rehabilitative components of health including mental health.

C. Strategies for the control of maternal and child morbidity and mortality

96. The following are some of the general strategies that are given special emphasis within the health policy framework:

(a) Democratization within the system shall be implemented by establishing health councils with strong community representation at all levels and health committees at grass-roots level to participate in identifying major health problems and budgeting, planning, implementation, monitoring and evaluation of health activities;

(b) Decentralization shall be realized through transfer to the regions of the major parts of decision-making, health care organization, capacity building, planning, implementation and monitoring with clear definition of roles;

(c) Intersectoral collaboration shall be emphasized, particularly in:

(i) Enriching the concept and intensifying the practice of family planning for optimal family health and planned population dynamics;

(ii) Formulating and implementing an appropriate food and nutrition policy;

(iii) Accelerating the provision of safe and adequate water for urban and rural populations;

(iv) Participating in the development of community-based facilities for the care of the physically and mentally disabled, the abandoned, street children and the aged;

(v) Participating in the development of day-care centres in factories and enterprises and of school health and nutrition programmes;

(d) Health education shall be strengthened generally and for specific target populations through the mass media, community leaders, religious and cultural leaders, professional associations, schools and other social organizations;

(e) Family health services shall be promoted by:

(i) Assuring adequate maternal health care and referral facilities for high risk pregnancies;

(ii) Intensifying family planning for the optimal health of the mother, child and family;

(iii) Inculcating principles of appropriate maternal nutrition;

(iv) Maintaining breast-feeding and advocating home-made preparation, production and availability of weaning foods at affordable prices;

(v) Expanding and strengthening immunization services, optimization of access and utilization;

(vi) Encouraging early utilization of available health-care facilities for the management of common childhood diseases, particularly diarrhoeal diseases and acute respiratory infections;

(vii) Identifying and discouraging harmful traditional practices while encouraging their beneficial aspects.

97. The operational strategy of the health sector elaborated in the draft NPA is similar to the above-noted general strategies of the health policy. In both cases, the primary health-care (PHC) approach, which constitutes curative, preventive, promotive and rehabilitative health care with focus on women and children, is taken as the relevant strategy for Ethiopia. It is believed that the application of the PHC approach within the country for more than a decade and the experiences gained by the sector in this regard will contribute to the successful implementation of the NPA in the future.

98. To ensure the implementation and monitoring of child health programmes, which include the Expanded Programme of Immunization (EPI), control of diarrhoeal diseases (CDD), control of acute respiratory infections (ARI) and malnutrition, a child health team has been designated in the Department of Family Health of the Ministry of Health. In accordance with the guiding principle of decentralization and democratization, MOH is responsible for issuing policies, setting national targets and monitoring implementation of programmes. The Regional Health Bureaux are responsible for planning, implementation and monitoring of health programmes in their respective region in order to achieve the national targets.

D. Goals for the year 2000

99. The information contained in the section is based on the draft NPA.

1. Maternal and child health

100. The primary goal is to reduce infant, child and maternal mortality rates from the existing 111, 161 and 20 per 1,000 live births by 50 per cent. Supporting goals are to increase antenatal service coverage from 17 per cent to 50 per cent and to increase delivery service coverage from 5 per cent to 50 per cent by the year 2000.

101. Maternal and child health services have been ongoing programmes implemented through the health service delivery system. Pregnant mothers and children have been vulnerable to malnutrition and infection, which has been reflected by the high maternal and child mortality rates. This is partly a result of poor health service delivery systems evidenced by the current antenatal and delivery services coverage of 17 per cent and 5 per cent respectively. This indicates the need to improve the services for mothers and children provided through the health units.

102. Communicable diseases and nutritional deficiencies are the major health problems in Ethiopia. The main causes of death and morbidity in children under five years of age are acute respiratory infections, the six vaccine-preventable infections, diarrhoeal diseases and malnutrition.

(a) Acute respiratory infection

103. The goal is to reduce mortality from ARI in children under five by 30 per cent by the year 2000.

104. Children are vulnerable to a high prevalence of ARI. In eight pilot study districts, the one-year morbidity report of ARI (1990/91) revealed a total of 150,000 children diagnosed as ARI cases, of whom 6,258 were pneumonia cases. Only 95 children were taken to care providers. Of all deaths of children under five 20-25 per cent have been estimated to be due to ARI. The main activities planned to achieve the above goal are training of health workers, production and distribution of educational materials on ARI and procurement of ARI drugs, vehicles and other supplies.

(b) The six vaccine-preventable infections

105. These diseases are measles, pertussis, polio, neonatal tetanus, diphtheria and tuberculosis. The goal is to reduce morbidity, mortality and disability among children caused by the six diseases through immunization of at least 80 per cent of children under one year by the year 2000.

Supporting goals are to:

(a) Eliminate neonatal tetanus by the year 2000 through immunization of at least 80 per cent of pregnant women with TT2 and through promotion of hygienic and safe delivery;

(b) Reduce significantly the number of polio cases as a step towards the achievement of the goal of polio eradication by the year 2000;

(c) Reduce by 95 per cent the number of deaths from measles and by 90 per cent the number of measles cases by the year 2000, as a major step in the eradication of measles in the long run.

106. The six vaccine-preventable infections are responsible for a considerable proportion of the high mortality, morbidity and disability of Ethiopian children. Limited community-based surveys were conducted to determine the magnitude of these diseases. A survey on neonatal tetanus carried out in the southern regions of Ethiopia (1989) showed a mortality rate of 6.7 per 1,000 live births and an estimated incidence rate of 8.4 per 1,000 live births. In a rural survey done by CSA in 1983, the prevalence rates of measles and pertussis were found to be 2.2 and 3.8 per 1,000 population respectively. In a national TB survey (1988-1990) of children between the ages of 6 and 10, the incidence rate of TB was found to be 77 per 100,000 population.

107. EPI was launched in 1980 following a pilot project in 1979. The programme aimed at making immunization services available to 100 per cent of the population and at fully immunizing at least 75 per cent of those eligible by 1990. For a number of reasons this has not materialized and the rate of immunization is still very low. The percentage of one-year-old children fully immunized against TB, DPT, polio and measles is 46 per cent, 28 per cent, 28 per cent and 23 per cent respectively. Immunization against the six killer diseases is regaining momentum. There are 1,500 static and 5,000 outreach vaccination sites in the country. All health institutions, a total of 2,300, will start providing EPI by early 1995 and outreach sites will expand to four to five on the average per static site, in order to immunize 80 per cent of the children under the age of one. In order to achieve the goals set out in the draft NPA, the major activities will include undertaking social

mobilization activities every three months, establishing outreach and static vaccination sites, conducting training using WHO/EPI modules, and procuring vaccines, kerosene, refrigerators and other related supplies.

(c) Diarrhoeal diseases

108. The goal is to reduce the current (9.2/1,000) diarrhoea-associated mortality rate by 50 per cent by the year 2000.

109. Diarrhoea is most common in children, especially in those between six months and two years of age. It is also common in babies under six months who drink cow's milk or infant-feeding formulas. Among the communicable diseases, diarrhoea ranks first or second to respiratory diseases contributing to high morbidity and mortality rates in children under the age of five. Diarrhoea, pneumonia and malnutrition are the three main killers of infants and young children, Sixteen different morbidity, mortality and treatment household surveys conducted in various parts of Ethiopia (rural and urban) in 1983-1989 revealed a diarrhoea-associated mortality rate of 9.2 per 1,000 and a diarrhoeal death ratio of 46 per cent. Lack or inadequacy of food hygiene, lack of a safe drinking water supply, absence of latrines and refuse and sewage disposal system as well as ignorance, poverty, migration and overcrowding are the major factors in the spread of diarrhoeal diseases.

110. The national programme for the control of diarrhoeal diseases was initiated in 1980 and became fully operational in 1983. The programme has two main objectives, one of which is the reduction of mortality due to diarrhoeal diseases in children under five years of age. This is the immediate objective of the programme and can be achieved through an effective diarrhoea case management strategy which will be implemented by all health units in the country and also by care-givers (especially mothers) in each home. The second objective is the reduction of morbidity due to diarrhoea in the same target age group. This is the long-term objective of the national CDD programme and will be achieved through health education on breast-feeding, good weaning practices, proper construction and use of latrines, proper disposal of stools of infants and young children, use of an adequate amount of safe water, hand washing, food hygiene and immunization against measles.

2. Malnutrition

111. The long-term goals are to achieve food self-sufficiency, to increase urban and rural income levels, to establish an effective food security reserve system at national and household levels and to establish intensive rehabilitation programmes for vulnerable groups. Supporting goals are:

(a) To reduce severe and moderate malnutrition in children under five by 50 per cent by the year 2000;

(b) To reduce low birth weight from the existing 12 per cent to 4 per cent;

(c) To reduce anaemia in women of child-bearing age by one third and in other population groups by 50 per cent;

(d) To reduce the prevalence of iodine deficiency disorders by 80 per cent;

(e) To increase breast-feeding prevalence from 28.8 per cent to 80 per cent among urban élites, from 78.6 per cent to 95.8 per cent among the urban poor, and from 95.5 per cent to 99 per cent among rural expectant mothers who will attend MCH services in the health units respectively;

(f) To improve growth monitoring coverage from the current 12 per cent to 70 per cent of the target population by the year 2000.

112. In general terms undernourishment in Ethiopia is a reflection of the economic underdevelopment of the country which in turn determines the level of income, access to education, and the development of productive and social infrastructure that along with other cultural factors influences the nutritional status of the population. The major causes of malnutrition in Ethiopia are inadequacy of food at household level, a great burden of infection and harmful feeding practices. Protein energy malnutrition is the most pressing nutritional problem in both rural and urban areas. National representative studies indicate that the nutritional status of the population has deteriorated in the last decade. Thus, stunting has increased from a maximum of 59 per cent in 1982 to 64 per cent in 1992 and underweight has increased from about 37 per cent to 47 per cent.

113. The country has suffered from recurrent droughts and civil wars which have resulted in acute malnutrition, while underdevelopment and poverty-related factors have resulted in chronic malnutrition. The strategy to solve the problem needs the concerted and integrated action of various sectors concerned with food and nutrition. Hence, the TGE has prepared a National Food and Nutrition Strategy and has started to implement the National Population Policy adopted in April 1993.

3. Environmental health

114. This sector includes small-scale water supply and sanitation. Its goals are to provide safe, adequate and reliable water supply services to at least 35 per cent of the population and to provide a sanitary means of human waste disposal, particularly VIP and traditional and simple pit latrines, to at least 25 per cent of the population.

115. Although reliable countrywide date on sanitation/water supply are scanty, various reports and studies indicate that, on the whole, sanitation and water supply coverage is extremely low. According to current information, clean water supply for domestic and municipal use is provided for about 9.7 million people (19 per cent of the entire population). Various studies, reports and surveys indicate that only 7 per cent of the population (3.9 million) use sanitary means of excreta disposal.

116. Environmental health services were started in 1957, but the progress made so far is totally inadequate. Hence, it is envisaged that during the project period (1994-2000), the Department of Hygiene and Environmental Health will

develop/protect 4,593 springs and the same number of hand-dug wells, construct 76,550 VIP and 1,324,040 simple pit latrines. By the end of the target year, 35 per cent of the population will have access to a safe and adequate water supply and 25 per cent will have on-site sanitation facilities.

VII. EDUCATION, LEISURE AND CULTURAL ACTIVITIES

117. In this chapter the current education policy, the role of the Ministry of Education, and issues pertaining to preschool, primary and secondary education, the environmental education project as well as rest, leisure and cultural activities for children are presented, based on the draft NPA and data from MOE and MOCS.

A. General background

118. Human resource development in Ethiopia faces many serious problems and challenges as the country emerges from a period of crisis and civil war which have left the education and training system severely weakened, starved of resources and undermined by problems of inefficiency and inequitable distribution of facilities and opportunities. The TGE has therefore come up with a new education and training policy to reverse the trend and to build a sustainable system of education and training which will contribute to the social and economic development of the country and the well-being and prosperity of its people.

1. The Government's education policy

119. According to the new policy, some of the major aims of education are:

(a) To develop and enrich the inquisitive ability of students and raise their creativity and interest in aesthetics;

(b) To enable both the handicapped and the gifted to learn in accordance with their potential and needs;

(c) To provide basic education and integrated knowledge at various levels of vocational training;

(d) To provide education that promotes democratic culture, tolerance and peaceful resolution of differences and raises social responsibility;

(e) To provide education that can produce citizens who stand for justice, democratic unity, liberty, equality and dignity of their fellow men, and who are endowed with moral values;

(f) To respect the rights of nations/nationalities to learn in their own language;

(g) To gear education towards reorienting society's attitudes and values pertaining to the role and contribution of women in development;

(h) To provide education that can produce citizens who possess a national and international outlook on the environment and who care for the national resources and the historical heritage of the country.

These aims are compatible with the aims of education provided in the Convention (art. 29).

2. The role of the Ministry of Education

120. In order to confront the challenges facing the sector, MOE has been restructured and, according to proclamation No. 41/1993, it has the following powers and duties:

(a) Formulates the country's educational policies and strategies and, upon approval, follows up and supervises their implementation;

(b) Devises and facilitates the implementation of ways and means of expanding education throughout the country;

(c) Determines and supervises the implementation of the country's educational standard;

(d) Determines the educational curriculum offered at the level of senior secondary schools, higher institutions of a similar status, and the type and standard of certificates to be awarded to students; provides assistance to regional self-governments in the preparation of educational curriculum for elementary and junior secondary schools;

(e) In accordance with the policy and law to be issued by the Government, licenses private higher education institutions, as well as schools established by foreign organizations and investors, and supervises same with a view to ascertaining their compliance with the prescribed standard;

(f) Prepares and implements projects designed to improve the quality and enhance the expansion of education, encourages and gives technical assistance to regions in the preparation and implementation of such projects;

(g) In cooperation with the appropriate organizations, devises ways and means of providing special assistance in rendering educational services to minority nationalities, women, children and adults;

(h) Provides technical and professional assistance to regions with a view to promoting their educational activities.

121. For the performance of these tasks, the TGE has implemented a policy of decentralization of responsibility for planning, organization and administration of educational services in order to increase local participation in decision-making at regional, zonal and district (woreda) levels and to make educational services, the curriculum and management more responsive to local needs and conditions. There are education bureaux in all regions and education offices at the zone (68) and woreda (672) levels.

122. Prior to 1994 the structure of formal education comprised preschool education for children aged 4-6, primary school of grades 1-6 (age 7-12), junior secondary of grades 7 and 8 (age 13-14) and second secondary grades of 9-12 (age 15-18). There is also provision for a three-year technical/vocational education from grade 10, and tertiary education in universities, specialized institutes and colleges, including teacher training. There are also non-formal adult education programmes run by several governmental and non-governmental organizations. The seven non-formal education programmes organized under MOE can be grouped into three categories, namely:

(a) Adult literacy;

(b) Community development education comprising basic development education, community skills training programmes, environmental education and population education;

(c) Continuing education composed of distance education and evening education.

3. National Programme of Action

123. The draft NPA establishes the principal targets and courses of action for the survival, development and protection of children up to the year 2000. In relation to education, the draft NPA consists of: early childhood education and care; primary education; non-formal education and literacy; and special education. In the draft NPA, for each component, problems and underlying causes, objectives, operational strategy, existing and new programmes, resources, plan of action, responsible and supporting agencies and monitoring and evaluation mechanisms are elaborated.

B. Preschool education

1. Coverage

124. Recent MOE data for 1992/93 indicate that, of the 4.1 million children of kindergarten age (4-6 years), only 57,006 attended in 550 kindergartens. Fifty per cent of the children and 97 per cent of their teachers were female. The above coverage of only 1.4 per cent of the eligible children clearly shows that less attention had been given to early childhood development and education.

Data on pre-primary education (1989-1993)

Year	1989	1990	1991	1992	1993
Enrolment	87 355	85 609	73 668	58 444	57 006
Teachers	1 888	1 918	2 089	1 531	1 486
Schools	848	833	786	632	550
Pupil-teacher ratio	46	46	35	38	38

Source: MOE.

2. Policies and strategy

125. The importance of preschool education has been recognized by MOE for a long time. However, due to financial constraints and competing priorities such as primary education, the former Government relied for this stage of education on society and non-governmental organizations. The CYFWO is responsible for raising the awareness of various institutions and the society at large to the needs of children and for proposing appropriate measures.

126. As elaborated in the draft NPA, the establishment and running of preschools will remain primarily a function of communities and private enterprises, although technical and material support from CYFWO, MOE and other partners will be needed. The decentralization policy of the TGE offers new opportunities to release grass-roots potential and creates favourable conditions for the development and expansion of preschool education through:

(a) Involving the communities in establishing and managing of preschool centres;

(b) Sensitizing individuals, groups, the community, NGOs, etc., on the urgent need to expand preschool education;

(c) Issuing laws, decrees and guidelines that would facilitate individuals and groups to establish preschool centres.

127. It is envisaged that the decentralization policy, the Government's new language policy of utilizing mother tongues in preschool education and a wider and more concerted application of media technologies to enrich the instructional process will extend access to a relatively large number of preschool children.

3. Chief targets for the decade

128. The long-term objectives of preschool education include the following:

(a) To remedy the gross deprivation from which almost all preschool-age children suffer;

(b) To popularize and institutionalize preschool centres so that they become common features of all communities in the country;

(c) To help all preschool children acquire the physical and mental readiness necessary for primary education, including useful societal values that would be necessary in the coming years of their lives;

(d) To relieve mothers from looking after their children for some hours daily so that they have time for their own social and economic life and for self-improvement and fulfilment;

(e) To promote respect for the rights of the child and make all possible progress towards the goal of Education for All.

129. The immediate objectives are:

(a) Increase the present intake of less than 2 per cent to 10 per cent;

(b) Produce and introduce relevant educational materials, play objects and essential supplies necessary for a meaningful and enjoyable learning experience;

(c) Acquire suitable premises and facilities for the training of instructors and supportive personnel and raise the present intake to meet the fast-growing demand for preschool teachers;

(d) Develop and implement a system for the provision of at least one daily meal containing milk, fruit and vegetables.

4. Resources and activities

130. Preschool education is the sole responsibility of the community which establishes preschool centres, recruits teachers and provides material and financial inputs. The role of MOE is to support the regions in the training of teachers and harmonizing activities through supervision.

131. According to the draft NPA, the main activities to be undertaken up to the year 2000 to develop and strengthen preschool education include the following:

(a) All suitable communication media, including traditional and religious forums, shall be used to popularize the need for establishing preschool centres in all deprived communities and localities. Forums will be created and discussions conducted to sensitize and mobilize communities and their leadership on the urgent necessity to expand preschool education;

(b) Introduce, on a pilot trial study basis, the balanced daily meal system in all regions at sample preschools to eventually attain at least one third of the nutritional requirement;

(c) Production and translation of educational materials into six different nationality languages and preparation and production of supplementary modules;

(d) Conduct research for designing a comprehensive and standardized curriculum suitable for the social and cultural diversity of the country, to be followed by improvement and reform on the basis of research findings. These in turn will be followed by dissemination and familiarization workshops and seminars at central, regional and local levels;

(e) To accelerate expansion of access, an alternative delivery system of organizing and strengthening the traditional church and mosque schools will be initiated through training of teachers and provision of materials.

5. Main problems

132. The main problems encountered in preschool education are the following:

(a) Preschool education is of recent development and is not yet an integral part of the general education system. A few preschool centres are run by the Government. As a result most of the existing preschools suffer from poor physical amenities and lack of recreational facilities. Many centres lack essential services such as supplementary food, medical attention and even safe water supply;

(b) There is a shortage of qualified teachers and personnel and the salaries of preschool teachers are low and not standardized;

(c) There is limited awareness about the importance of preschool education on the part of the majority of the population;

(d) The participation rate is very low. The number of preschools declined by 208 between 1988 and 1992. Moreover, almost all preschool centres are in urban areas, which indicates the extreme disparity between urban and rural areas.

C. Primary education

133. Primary education is coeducational. Grades 1-3 are self-contained, while 4-6 follow the linear form. A double shift system is used in urban areas.

1. Coverage

134. In 1992/93, out of 9.3 million children of primary school age, only 1.9 million attended school in 8,120 schools. The gross participation rate of primary education is below 20 per cent of the relevant age cohort leaving three fourths of the school-age children with no access. The participation rate has declined during 1988-1992 because of damages and destruction sustained during the civil war. Forty-one per cent of the primary school children and 26 per cent of their teachers were females; 82 per cent of the teachers have appropriate certification for teaching at this level.

Data on primary education (1989-1993)

Year	1989	1990	1991	1992	1993
Enrolment	855 130	2 662 214	2 466 464	2 063 635	1 855 894
Teachers	66 019	65 640	68 369	68 457	69 743
Schools	8 579	8 345	8 256	8 434	8 120
Participation rate (%)	34	30	27	22	19.7
Pupil-teacher ratio	43	41	36	30	27

Source: MOE

2. Overall objectives

135. The development objectives regarding primary education are:

(a) To enable children of the age group 7-12 to acquire basic knowledge, skills and attitudes necessary for enhancing development;

(b) To achieve a more equitable distribution of basic education services and eventually attain universalization of primary education.

136. The immediate objectives are as follows:

(a) To provide for the basic educational needs of children;

(b) To upgrade the quality and de-emphasize the theoretical approach of primary school instruction by introducing skills-oriented, life-related and practical contents in accordance with concepts of basic education as stipulated by the World Declaration on Education for All;

(c) Develop innovative approaches in school organization and time and resource management;

(d) Foster and establish the community ownership of Community Education Centres (CEC) so that they become fully involved in the construction, maintenance and management of the institutions.

137. Provision of primary education to all school-age children by the year 2000 is beyond the financial, organizational and management capabilities of the country in view of the present efforts and the increasing population of primary school-age children. However, as signatory to the World Declaration on Education for All and considering the low participation rate, MOE is envisaging a rapid increase in the expansion of primary education hoping to reach a participation rate of 50 per cent by the year 2000. This will not be achieved with the conventional approach and hence innovative strategies will be applied. For the long-term, it is mentioned in the strategy that universal primary education of good quality can be achieved over a period of 20 years.

138. The policy of the TGE is to provide primary education that will remain free and accessible to all children of the age group 7-12 years. Another policy guideline pertains to the use of nationality languages as medium of instruction. Pursuant to the policy of decentralization, curriculum development will be undertaken by regional offices, and local situations will be given due emphasis. Furthermore, primary education is under the jurisdiction of regional bureaux.

3. Programmes to improve primary education

139. The new Community Education Centres, each consisting of grades 1-4, will be the main strategy for the planned increase of the participation rate to 50 per cent. The establishment of these centres (consisting of two to four classrooms depending on the size of the community and the number of children) is the core innovation and the major thrust for the universalization of access to basic education and equitable distribution of opportunities. Construction is planned at an accelerated rate until a total of 9,000 CECs are established in the rural areas. The plan is to expand access rapidly, so that with the

existing institutions and the new CECs no community is left totally deprived of any educational opportunity. Since each CEC will have three teachers including the head teacher, the programme requires the training and deployment of about 27,000 teachers over the period under consideration. The teaching-learning experience in the CECs will be supported by the new system of interactive radio instruction. Twenty-two boarding schools (grades 1-8) with hostels will be built in selected, isolated and deprived communities and nomadic areas. Attempts will be made to make these schools generate income and gradually become self-supporting.

140. The new policy of using nationality languages for primary education is an innovative undertaking which has been implemented by the introduction of five major languages.

141. According to the new education and training policy primary education will be of eight years' duration offering basic and general education and training. National examination will be offered at the end of grade 8. At this level training will be provided in agriculture, crafts, construction and basic bookkeeping in the form of apprenticeship for primary school students who have attained the appropriate age.

4. Main problems

142. With a curriculum that is divorced from the needs of the learner and in view of the development requirements of rural communities, the problems of the primary level are critical. Some of the main problems at this level pertain to the following:

(a) The curriculum fails to provide basic knowledge and skills relevant to life and does not take into consideration the social and cultural realities of the communities;

(b) Wide disparities in enrolment exist between urban and rural areas and between the regions of the country. In 1991/92, the lowest regional participation rate reached 1.2 per cent in the Ogaden, and the highest 95 per cent in Addis Ababa. In both rural and urban areas, the female participation rate is lower than male participation. The proportion of boys to girls is 58 to 42 respectively;

(c) Overcrowded classrooms in urban areas, paucity of learning materials and very limited teaching aids are dominant characteristics of the existing situation, leading to high rates of wastage and repetition.

143. Primary education includes special education intended for children with special needs. Some 1.6 million school-age children (7-18 years) are believed to be partially impaired or handicapped and without access to basic education and training. Out of the 1.6 million only 1,685 or 0.1 per cent attend special and regular schools. Due to lack of specialized facilities, trained personnel and related services, the majority of handicapped children are deprived of training opportunities which would permit them to become self-reliant. Out of the 16 schools and units at the primary level (5 for the blind, 6 for the deaf and 5 special units attached to regular schools), over 60 per cent are run by NGOs. Although the teacher/student

ratio in these schools seems fair, the qualification of the teachers is generally very low due to the lack of a training centre to produce such teachers.

144. The training of special education teachers, in-service training, systematic assessment activities, guidance and training of parents, peripatetic services, material production and research and evaluation are, therefore, major undertakings incorporated in the draft NPA in favour of children.

D. Secondary education

1. Coverage

145. The school-age population (aged 13-14) for junior secondary school is about 2.5 million. Out of these 350,000 attend school with a participation rate of 14 per cent; 48 per cent of the students and 10 per cent of the teachers at this level are female. The pupil-teacher ratio is 32, and only 30 per cent of the teachers have appropriate certification.

146. The school-age population (aged 15-18) at the secondary level is about 3 million out of whom only 364,000 attended school during 1993/94. The participation rate is 12 per cent and the number of schools is 279; 45 per cent of the students and 9 per cent of the teachers are female. The student-teacher ratio is 33 and 40 per cent of the teachers have appropriate certification for teaching at this level.

Basic data on secondary education (1989-1993)

Year	1989	1990	1991	1992	1993
Enrolment					
Junior Sec.	447 463	418 496	404 861	359 111	348 803
Senior Sec.	426 413	451 766	453 985	416 082	363 686
Teachers					
Junior Sec.	10 521	10 352	10 940	11 265	10 796
Senior Sec.	10 726	11 262	11 781	11 868	11 174
Schools					
Junior Sec.	1 093	1 092	1 117	1 149	1 099
Senior Sec.	278	274	275	284	279
Pupil-teacher ratio					
Junior	43	40	37	32	32
Senior	40	40	39	35	33

Source: MOE

147. The participation rate at this level has increased over the years, from 7 per cent in 1974 to 12 per cent in 1992 and from 3 per cent in 1974 to 12 per cent in 1992 for the Junior and Senior levels respectively.

2. Innovative programme and guidelines

148. The system of secondary education up to now has mainly concentrated on the preparation of students for the next level of education. But at the end of grade 12, more than 90 per cent of students do not have access to higher institutions of learning and they lack employable skills. With the narrow base of participation at the primary level, the present expansion of the secondary level, is incompatible with the overall policy of education. In order to tackle such problems, the new policy is directed at curtailing the expansion of the system and the reorientation of the objectives of secondary education towards the production of youth for employment. .

149. According to the New Education Policy, secondary education is divided into two cycles. The first cycle consists of two years of general secondary education, which will enable students to identify their interests for further education and for the world of work. National examinations will be given at the end of grade 10. Technical and vocational training in agriculture, industrial arts, construction and commerce will be provided after primary education for those who may not continue general education. The second cycle of secondary education (grades 11-12) will enable students to choose subjects or areas of training which will prepare them adequately for higher education and for the world of work.

3. Main problems

150. Among the many problems of secondary education, the following are worth noting:

(a) Poor quality of teachers;

(b) Secondary schools in urban areas, run by MOE, operate in two shifts, are overcrowded and the classes are difficult for teachers to manage, whereas in the rural areas the rate of student participation is low;

(c) Many secondary schools which were supposed to teach practical subjects such as woodwork, metal work, etc., do not adequately function to produce well-trained workers due to lack of equipment and finance for the purchase of raw materials that are needed to teach effectively;

(d) The teaching of science is hampered by the lack of suitably equipped laboratories and shortages of textbooks and other teaching aids.

151. With respect to technical and vocational education and training, entry into any one of the 14 schools under MOE requires the successful completion of grade 10. The training lasts for three years. The TVET programme is self-governed, and due to inadequate facilities and equipment the schools operate below capacity. Though they have a physical capacity to enrol a total of 6,000 students with a possible output of 2,000 graduates per year, the actual enrolment and graduation is well below these figures. In view of its importance for the development of the country, there are plans in hand to establish a further 25 agro-technical schools and skill training centres in the rural countryside, through international assistance and loans. The new TVET schools are intended mainly to serve disadvantaged groups (e.g. women)

and deprived localities such as the lowlands and densely populated localities of the highlands which can no longer survive with agricultural activities alone.

E. The Environmental Education Project

152. Various non-formal education programmes are carried out under MOE. These programmes contribute to community development by increasing productivity, disseminating low-cost and simple technologies and imparting skills relating to family living, and give special attention to the needs of girls and women. As mentioned earlier, EEP is one component of the non-formal programmes run by MOE. With financial assistance from SIDA and in collaboration with the Ministry of Agriculture and Ministry of Health, environmental education is carried out in selected educational institutions (basic development education centres, community skills training centres, primary and secondary schools), with Teacher Training Institutes as focal points. The general objective of EEP is mainly to promote better understanding of the relationship between man and nature, promote widespread action in the protection and regeneration of the environment and ensure the relevance of education in resolving community problems like environmental degradation by taking and enhancing timely action. In the long run it is believed that EE will contribute to the overall national effort for the rational management of environmental resources in the country.

153. The activities carried out in the 67 pilot centres and their achievements are impressive. Over 2,500 education staff of various levels have participated in EE seminar and workshops, 68,544 students and peasants were reached through EEP, 680,320 trees were planted and survived (between 1985 and 1991), about 75,000 copies of the EE magazine were produced and distributed to relevant institutions. Programmes on EE have been broadcast by educational radio and about 2,000 radio receivers have been distributed to schools and other centres.

F. Rest, leisure and cultural activities

154. The Ministry of Culture and Sports under proclamation No. 8/1987 has been entrusted with the responsibility of ensuring the promotion of culture and the arts. In collaboration with other government institutions, specially MOE and MOI, it undertakes several activities relating to sports, recreation and cultural activities mainly in Addis Ababa and a few other urban centres. For example, 17,059 and 4,677 children were beneficiaries of children's theatre and sports competitions, respectively. Children were also beneficiaries of programmes organized by MOCS and CYFWO such as drawing contests, art exhibitions, musical shows, films for children, visits to museums and library services.

155. The services of the Ministry do not cover small and medium towns and the rural communities where children participate in traditional games and cultural activities at certain periods of the year. Most of the above-mentioned activities are undertaken in Addis Ababa at irregular intervals. For example, films are screened for children in two cinema halls at intermittent intervals. This applies to the children's theatre and music shows organized by MOCS. Though data are unavailable the number of young people benefiting from

libraries is extremely small, since in 1990 the percentage of the urban population with access to libraries (excluding school libraries) was estimated at 23 per cent.

156. The existing sports centres focus on a few types of sport, are not well organized and lack essential facilities. For example, there are only 3 stadiums of international standard (Addis Ababa, Dire Dawa, Jimma), 5 medium stadiums in other urban centres and 19 small stadiums distributed in eight regions.

157. MOI undertakes educational and recreational services. Such services consist of:

(a) A biweekly television programme for children where children are mostly involved as participants;

(b) A weekly radio programme entitled "Children's World" which presents stories and fosters discussion among children;

(c) A weekly column for children in the Amharic newspaper entitled "Sunday for Children" which presents educational and recreational articles. Since only two persons per 1,000 own television sets, the coverage of these programmes is extremely limited. On the other hand, since 200 people per 1,000 own radio sets, the coverage of the radio programme is wider and encompasses both rural and urban communities.

158. CYFWO is also responsible for the development of recreational centres and has been given the power to encourage appropriate organizations to produce food, clothing, toys, recreational materials and recreational centres for children. Accordingly, in the past years CYFWO has distributed educational and play materials for kindergartens in all regions.

159. The National Social Policy of the TGE recognizes the importance of leisure, recreation and cultural activities and includes in its aims:

(a) To encourage physical education and sport among the population and to strengthen and expand sports facilities;

(b) To support and promote traditional sports;

(c) To create conducive conditions for citizens to spend their leisure in play and other activities that will enhance the development of their culture and general knowledge.

160. Ethiopian children will benefit from the implementation of these measures which are compatible with article 31 of the Convention.

VIII. SPECIAL PROTECTION MEASURES

A. Services provided to children in especially difficult circumstances

1. General background

161. According to the draft NPA, the term refers to those "children who for reasons beyond their control are unable to count on the support and care of

their families", and therefore require substantial protection by the Government, NGOs and the public. The following nine types of this category of children are found in the country, i.e. children with insufficient family support; street children; unaccompanied and abandoned children; orphans; children traumatized by war and disaster situations; children displaced by war and drought/famine situations; disabled children; abused children and delinquents.

162. The existence of these children is explained by poverty, rapid urbanization, rural to urban migration due to recurring drought/famine, the protracted civil war, unemployment, family disruptions, poor health status and, recently, AIDS. Since no nationwide survey was undertaken in the past, the magnitude of each type of problem is not accurately known. However, from the scanty evidence available, the extent of the problem for some categories is described in the following paragraphs.

(a) Orphaned children

163. There are around 500,000 orphaned and destitute children. The Relief and Rehabilitation Commission estimates that due to the drought of 1987/88, 250,000 children were left homeless of whom 37,000 were registered as orphans in need of immediate assistance. The estimate of the RRC further indicates that during the same period out of the more than 6 million people affected by the drought and famine 43 per cent were children. Furthermore, according to the AIDS prevention bureau, the number of children to be orphaned because of AIDS by the year 1995 is estimated at 95,000.

(b) Street children

164. A recent study commissioned by UNICEF estimated that there are over 100,000 street children, with the majority (20,000) in Addis Ababa and the rest in other urban centres. The problem is growing rapidly in the capital and in other major towns, and UNICEF estimates that 1.1 million children in urban areas and school drop-outs face a very high risk of becoming street children. The street children population is also expected to increase by 5 per cent yearly.

165. A National Survey on Street Children will be undertaken by MOLSA during 1994/95, and this effort is expected to result in more accurate and reliable countrywide data on the problem of streetism.

(c) Disabled children

166. There are over 1.5 million disabled children in Ethiopia.

(d) Displaced children

167. This category consists of internally displaced as well as refugee and returnee children. According to RRC, the number of displaced children is around 20,000.

2. Programmes and services for children

168. In order to alleviate the problems of children in especially difficult circumstances, limited services are being provided by government institutions and by various NGOs. The programmes focus on prevention, rehabilitation, protection and developmental aspects of child welfare. The type of programmes and services currently carried out by the above institutions are described below.

(a) Institutional care

169. There are 106 residential homes in the country sponsored by MOLSA, CYFWO, RRC, the Addis Ababa city council and several NGOs, catering for 24,546 orphans; 89 per cent of these homes are sponsored by NGOs who have agreements with RRC and CYFWO. MOLSA runs the "Children's Amba" which caters for 4,000 orphans and provides general education (preschool to secondary level) as well as vocational training. CYFWO provides services for 2,365 orphans in four children's homes. Under its umbrella, 49 NGOs such as Hope Enterprises, SCF/USA, L'esperance, the Ethiopian Orthodox Church and the Ethiopian Evangelical Church Mekaneyesus are currently assisting 9,891 orphans. Institutional care is considered only as a last resort and if there are no other possibilities of assisting the orphaned children in other ways.

(b) Adoption services

170. The provision of adoption services is the responsibility of MOLSA. According to the Ministry's regulations, orphans or children who are in dire need of care are given permanent care through adoption by court order (see para. 87 above).

(c) Sponsorship/foster care

171. CYFWO has entered into agreements with a number of NGOs to provide material support to poor families by sponsoring a child within a family. Accordingly, six NGOs are providing services to 20,827 children and of this almost 50 per cent is undertaken by the Christian Children's Fund.

(d) Child/family reunification

172. The Ethiopian Orthodox Church has undertaken family reunification and reintegration service for 4,349 children while RRC has reunified 2,200 children with their families. RRC, in agreement with Swedish Save the Children and SCF/USA, has programmes under way to reunite 185 children affected by drought and 140 children affected by civil strife with their parents.

173. So far, out of 20,000 displaced children only 8,286 have been reunified with their families.

(e) Community-based child support programme

174. This is a relevant strategy to help destitute children in their own environment by providing different kinds of support to the family, extended

family or relatives with the aim of preserving the integration of the members. The sponsorship programme mentioned earlier is a community-based support programme.

(f) Family support programme

175. Under this programme MOLSA assists, on a regular basis, 426 extremely poor families with basic necessities. In collaboration with Swedish Save the Children, it also provides support for 500 family members of street children in Addis Ababa.

(g) Family development projects

176. This is a UNICEF-supported programme undertaken by MOLSA that targets 2,800 needy families in one zone. The project includes drilling of water wells, child care training, home science, income-generating activities, mother and child health care and environmental protection programmes. Another project supported by UNICEF is conducted by MOLSA in seven urban centres whose beneficiaries are 420 poor and lactating mothers and 840 children selected from the community. Services include feeding programmes and study and recreational programmes for children.

(h) Programmes for street children in Addis Ababa

177. With support from the Italian Government, MOLSA conducts a rehabilitation and preventive programme for 850 street children of both sexes, which includes the provision of shelter for those in need, education, reunification with parents, vocational training, income-generating schemes and sports and recreational activities. CYFWO is working closely with NGOs involved in the problems of street children and coordinates their activities. SCF/USA has established a "drop in" centre for 150 children with facilities catering to children's physical, psychological and vocational needs. In collaboration with MOLSA, Swedish Save the Children conducts a "mobile" programme for 180 street children and provides educational and other programmes in their own environment. Norwegian Save the Children has implemented a programme that aims to reunite 100 children with their parents while providing the children with counselling and job training, and the parents with credit systems. Hope Enterprises has 102 street children in its boarding homes, and its long established programme focuses on rehabilitation and vocational training. CCF has started a new programme for 200 street children.

178. However, of the total number of 100,000 street children, only 3,000 are beneficiaries of the various services.

(i) Services for disabled children

179. The Rehabilitation Agency provides residential care for 250 disabled children who are provided basic social and psychiatric care, a monthly subsidy of 20 birr per child for the parents of 180 children, prosthetic aids for 80 children in 1994 and, in accordance with the community-based rehabilitation programme, disabled children get services at their homes which include educational services for 300, prosthetic aids for 200 and special education for 30 blind children.

180. A proclamation (No. 101/1994) concerning the rights of disabled persons to employment was issued in August 1994. Article 3 of the proclamation states that a disabled person having the necessary qualifications shall, unless the nature of the work dictates otherwise, have the right to compete and to be selected for.

(a) A vacant post in any office or undertaking through recruitment, promotion, placement or transfer;

(b) A training programme to be conducted either locally or abroad.

181. A total of 1,766 disabled children are provided educational services, residential care, training and placement services and integrated vocational and academic education by CYFWO, MOE, MOLSA, the Cheshire Foundation and other NGOs. However, of a total of over 1.5 million disabled children only 3,000 receive such services.

(j) Service for juvenile delinquents

182. MOLSA administers the Addis Ababa Training School and Remand Home for Boys where during the period 1985-1991, 240 child offenders were admitted by order of the juvenile court. The home has a capacity of 150 and its services include rehabilitation and probation, guidance and counselling, formal education, vocational training and the provision of shelter, food, clothes and medical treatment for the young offenders in its care. Currently, there are 60 boys under 18 years of age in the remand home.

183. Of the estimated 4 million children in especially difficult circumstances, only 95,049, or 1.5 per cent, receive services. Hence, the Government, NGOs and the society at large are expected to exert much more effort to satisfy the basic needs of these children.

3. Policy and strategy

184. The concern of the TGE in this respect is expressed in the draft constitution of Ethiopia, in the section on protection of the rights of the child (see para. 19 above). The other policy instruments of the Government, namely the National Social Policy and the draft Social Welfare Policy, underscore the commitment of the Government to the protection and care of children. The National Social Policy guarantees that the necessary effort shall be exerted for the protection and care of orphaned, destitute and disabled children, and to create conducive conditions for the protection, survival and development of children, the aged and the handicapped. Specifically, the objectives of the draft Social Welfare Policy (1993) of MOLSA regarding children in especially difficult circumstances includes the following:

(a) Create the necessary conditions to protect and rehabilitate children who are orphaned and abandoned due to natural and man-made disasters and make them self-sufficient;

(b) Devise ways and means to provide services and care to disabled and retarded children according to their needs;

(c) Create conditions necessary to prevent and eradicate child abuse, neglect and exploitation;

(d) Proclaim laws and regulations that are necessary to further those conventions accepted by the Government and ensure their application.

185. The draft NPA for children specifies the immediate and long-term objectives of programmes designed to alleviate the problem of children in especially difficult circumstances. The immediate objectives include:

(a) Conducting a nationwide survey to collect information regarding the number, situation and problems of children in each of the nine categories;

(b) Creating an awareness on the part of the general public regarding the target group and the rights of the child, through adequate utilization of the mass media and various forums;

(c) Establishing intersectoral committees (from each of the nine categories) comprising NGOs and government agencies, in order to reinforce the implementation of programmes;

(d) Strengthening the situation of families with foster children and creating an environment conducive to their upbringing by implementing financial support schemes for the families.

186. The operational strategy of the draft NPA will focus on early detection of the problems through periodic surveys, strengthening of existing services, formulation of well-coordinated plans of action involving Government, NGOs and community groups, intensifying reunification programmes for orphans, unaccompanied and displaced children and initiating various counselling and guidance programmes for young persons, especially for delinquents. The work plan elaborated in the draft NPA will comprise the following major activities to be undertaken with respect to each of the nine categories:

(a) Conducting a national survey on the problem;

(b) Expanding existing programmes, initiating new ones and collaboration among government agencies and NGOs involved in these programmes;

(c) Conducting national and regional seminars and workshops to exchange information and discuss strategy;

(d) Creation of public awareness and advocacy programmes on the situation of the children.

187. In addition, modernizing the data bank of the adoption unit within MOLSA and establishing two more remand homes for boys and girls in two towns before the year 2000 are envisaged. Special surveys at regular intervals and external annual evaluation and audit will be conducted for purposes of monitoring and evaluation of each programme. In this respect the main problem hampering the expansion of services and the initiation and implementation of relevant programmes is the financial and manpower limitations of both MOLSA and CYFWO.

B. Children in conflict with the law

1. The administration of juvenile justice

188. The Penal Code incorporates basic principles on administration of criminal justice such as the rule of no crime and no punishment without the law, non-retroactivity, presumption of innocence, right to confrontation, right against self-incrimination, right to counsel and right to review. In Ethiopia, cases of child offenders are heard both in regular courts and in a juvenile court that was established in Addis Ababa in 1959, prior to the issuance of the Criminal Procedure Code of 1961. This court was empowered to hear and decide cases of child offenders. Juvenile cases outside the capital city are handled by woreda courts.

189. In the Ethiopian penal system, there is a special section of the penal law containing both substantive and procedural rules exclusively designed for juvenile offenders, and there are special sections of the procedural law likewise designed for juveniles.

190. The Criminal Procedure Code of Ethiopia, article 172 (1), provides that in cases where a young person is involved in commission of a crime he shall be taken immediately before the nearest woreda court (first instance court) by the police, the public prosecutor, the parent or guardian or the complainant. Arrest ("taking") warrant must be obtained in the manner prescribed for adult cases. The police shall also make every possible use of summons in order to avoid the publicity and the adverse psychological effects on the juvenile which are inherent in the use of arrest.

191. The woreda court shall ask the person bringing the young person to state the particulars and the witnesses, if any, of the alleged offence or to make a formal complaint. It is the woreda court which, after the young person has been brought before it, records the accusation or complaint against him, and directs the police to conduct any investigations the court thinks necessary (art. 172 (2)). The police may not, on their own initiative, undertake any investigative steps which involve custody of the accused; they must, by whatever means, immediately take him before the nearest woreda court.

192. If the accusation relates to an offence punishable with rigorous imprisonment exceeding 10 years or with death, the court shall direct the public prosecutor to frame a charge (art. 172 (3)). In such a case the juvenile will be tried in the High Court on a formal charge drawn by a public prosecutor. The woreda court can hear cases where the accusation relates to offence ordinarily punishable by up to 10 years of rigorous imprisonment while any grave cases have to be heard before the High Court. If the case is less serious and is to be heard by the woreda court the juvenile is tried without any formal charge and usually without the participation of the public prosecutor. There is a special division in the High Court that hears cases of juveniles charged with serious crimes.

193. Where the case requires to be adjourned or to be transferred to a superior court for trial, the young person shall be handed over to the care of

his parents, guardian or relative or, in default of any such person, to a reliable person who shall be responsible for ensuring his attendance at the trial (art. 172 (4)).

194. When a young person is brought before the woreda court his parent, guardian or other person in loco shall be summoned without delay (art. 173). This is done to inquire whether his parents, etc., can represent him or not and to release him on bail upon their recognizance.

195. The Criminal Procedure Code qualifies the juvenile's right to counsel. Article 174 states that the court shall appoint an advocate to assist the young person where no parent, guardian or other person in loco parentis appears to represent the young person or the young person is charged with an offence punishable with imprisonment exceeding 10 years or with death. According to this article, therefore, a juvenile has the right to representation by State-appointed counsel whenever he and his parents are too poor to hire one privately. But this right may be restricted where the offence is very serious and, regardless of the seriousness of the offence, where he is represented by his parent, guardian or other person in loco parentis.

196. According to article 176 (1), "where the young person is brought before the court all the proceedings shall be held in chambers. Nobody shall be present at any hearing except witnesses, experts, the parent or guardian or representatives of welfare organizations. The public prosecutor shall be present at any hearing in the High Court". This provision was designed to limit the publicity of juvenile proceedings in order to safeguard the young person's reputation from damage through press, radio reports and gossip. Restoration of the juvenile offender to his community, whether he has been found guilty of the offence charged or not, will often be facilitated by ensuring that the proceedings are kept as confidential as possible. In the exercise of his constitutional right to a public trial, however, the accused juvenile or his parents might wish in some cases to have the proceedings open to the public or to have present certain persons other than those named in article 176 (1).

197. If all the above-mentioned procedures have been followed, the accusation or complaint or charge is then read to the juvenile and he is asked what he has to say (art. 176 (4)). If it is clear to the court from what the accused juvenile says that he fully understands and admits the accusation or charge, the court may convict him immediately (art. 176 (4)). Before sentencing, however, the judge usually adjourns the case for about a week and asks the probation officers to prepare a pre-sentence report. Meanwhile, the juvenile is remanded to the home for juvenile delinquents or is bailed out on the parent's or guardian's recognizance.

198. If the accused juvenile denies the accusation or charge, witnesses have to be summoned. The witnesses are to be examined by the court and cross-examined by the defence. Finally, the court may give judgement specifying the provision of the law on which it is based. If the juvenile is found not guilty, he shall be acquitted immediately; if he is found guilty, the court may impose appropriate measures or penalty under article 162 et seq. of the Penal Code (art. 176 (5) (6) and art. 177 (1)).

199. In order to arrive at a decision which is in the best interest of the young person, the court may call before it any person or representative of any institution with a view to obtaining information concerning the character and antecedents of the juvenile (art. 177 (2)). In assessing the sentence the court shall also take into account the age, character, degree of mental and moral development of the young offender as well as the educational value of the measures to be applied. The court may vary its order to ensure the best possible treatment (art. 54, EPC).

200. When the juvenile offender is convicted of a criminal offence, the court shall order one of the treatment measures designed by law to rehabilitate the offender after having ordered all necessary inquiries for its information and guidance (art. 161, EPC). The court may sentence the juvenile to special penalties where the measures "have been applied and have failed" (art. 170).

201. The treatment measure may be in a free or closed environment. The free environment treatment measure is either supervised education or reprimand or probation.

202. If the young offender is morally abandoned or is in need of care and protection or is exposed to the danger of corruption or is corrupted, measures for his education under supervision shall be ordered. He shall be entrusted either to relatives or, if he has no relatives or if these have proved to be incapable of ensuring his education, to a person (guardian or protector), a reliable family, home or an organization for the education and protection of children (art. 163 (1)).

203. Specific conditions of supervised education may also be ordered. The specific conditions may be regular attendance at a school or the obligation to undergo an apprenticeship for a trade, the prohibition to associate with certain persons or resort to certain places, the obligation to appear personally before or to report on certain dates to the supervisory authority (art. 163 (2)).

204. Where appropriate and designed to produce good results the court may also reprimand the young offender. In such a case, the court shall direct his attention to the consequences of the offender's act and appeal to his sense of duty and his determination to be of good behaviour in the future (art. 164 (1)). A reprimand measure may be coupled with any other penalty or measure and may be applied alone when the court deems it sufficient for the reform of the young offender, having regard to his capacity of understanding and the nature of the offence (art. 164 (2)).

205. The court may also suspend the sentence, placing the young offender under a specific period of probation if the conditions for the success of such a measure seem to exist (art. 176). The duration of the period of probation should, however, be between one and three years.

206. The treatment measures in a closed environment is either school or home arrest or admission to a curative institution or admission to a corrective institution. School or home arrest is ordered in cases of slight gravity or when the young offender seems likely to reform. In such a case, the court may order the young offender to be kept at school or in his home during his free

hours or holidays and perform a specific task adapted to his age and circumstances. The court shall determine the duration of the restraint in a manner appropriate to the circumstances of the case and the degree of gravity of the offence committed (art. 165).

207. Admission to a curative institution may be ordered if the condition of the young offender requires treatment and where he is feeble minded, abnormally arrested in his development, suffering from a mental disease, blind, deaf and dumb, epileptic or addicted to drink. In such a case, the court shall order the young offender to be admitted to a suitable institution where he shall receive the medical care required by his condition. The treatment shall, where possible, include education and instruction (art. 162).

208. Admission to a corrective institution may be ordered where the character, antecedents or disposition of the young offender is bad. In such a case, the court may order the young offender to be admitted into the Training Center and Remand Home in Addis Ababa. The young offender who is ordered to be admitted in the Training Center and Remand Home shall receive, under appropriate discipline, the general, moral and vocational education (apprenticeship) needed to adapt him to social life and the exercise of an honest activity (art. 166).

209. Admission to a curative institution and a measure of supervised education are applied for such time as is deemed necessary by the medical or supervisory authority and may continue until the young offender has come of age (18 years). They shall cease to be applied when, in the opinion of the responsible authority, they have achieved their purpose (art. 167 (1)). The sending to a corrective institution shall be ordered for a period of not less than one year not exceeding five years; in no case shall it extend beyond the coming of age of the young offender (18 years) (art. 167 (2)).

210. Since the measures are designed for rehabilitative purposes the young person sentenced to any such measure "shall not be regarded as having been sentenced under the criminal law" (art. 169).

211. Before imposing the measures, the court may require the production of expert evidence regarding the physical and mental condition of the young offender. The court shall put such questions as may be necessary to any expert for the purpose of informing itself as to the physical and mental state of the young person and inquire what measures of an educational, corrective and protective kind would be most suitable (art. 55 (2)).

212. A young person who, following an initial conviction, has undergone one of the prescribed measures indicated above may, upon a new conviction for any criminal offence, be sentenced to any of the special penalties provided in the Penal Code (arts. 171-173) if in the opinion of the court the prior measures have failed (art. 170). The special penalties are fine, corporal punishment and imprisonment.

213. The fine penalty may be imposed in exceptional cases when the young offender is capable of paying a fine and of realizing the reason for its imposition. The fine imposed shall be proportionate to his means and the gravity of the offence (art. 171 (1)). A fine may be imposed in addition to

any other penalty. The fine penalty is imposed on the juvenile when he has a job and salary. Even if his parents are rich and able to pay for him, the court cannot impose such penalty. On the other hand, even if the juvenile has money, if he is not going to understand the reason of its imposition, such penalty is not going to be applied. Should the juvenile offender deliberately fail to pay the fine within a reasonable time fixed by the judgement, the fine may be converted into arrest for such a time as shall be fixed by the court (art. 171 (2)).

214. The second penalty that may be imposed on a juvenile offender is corporal punishment. Corporal punishment is ordered by the court if the court considers that it is likely to secure his reform. It shall be inflicted only with a cane and the number of strokes shall not exceed 12, to be administered on the buttocks. Only juvenile offenders in good health shall be subjected to corporal punishment (art. 172 (1)). When imposing corporal punishment, the court shall take into account the age, development, physical resistance and the good or bad nature of the offender, as well as the gravity of the offence committed (art. 172 (2)).

215. The third kind of penalty that may be imposed on a juvenile offender is imprisonment (see para. 42 above). Once again, the institutional framework for the implementation of the law is weak, since there is only one curative institution with a limited capacity and only one remand home in Addis Ababa for young male offenders.

2. Children deprived of liberty

216. This is covered, in the preceding section and in chapter II, paragraph 41.

C. Children in situations of exploitation

1. Child labour

217. Child labour is a widespread phenomenon in much of the developing world. In Ethiopia too, the exploitation of child labour is a long-standing problem. Many children are engaged in activities where safety and working conditions are below international standards. The following are forms of child labour found in many parts of the country:

(a) Child shepherds working for long hours contracted or subcontracted to owners;

(b) Children working in numerous small industrial workshops and service establishments;

(c) Children in street trades.

218. In rural Ethiopia, in particular, participation of children in domestic production is essential for meeting the consumption requirements of the household. The work of these children is therefore, essential for the survival of the farm household. In artisan workshops and small-scale services, children assist their parents in ancillary tasks, acquire skills and

gradually become fully-fledged workers in family establishments or trades. While engaged in work of this kind they face problems affecting especially their health, safety and schooling.

219. In urban areas children are found working mostly in the informal sector and also in commercial establishments, where they do not have access to literacy, vocational training and to compensation for work-related injury or disability. Often they work for low wages and for excessively long hours. Vulnerable and unorganized child workers are used to reduce labour costs and maintain competitive advantages and as a means of adapting and responding to economic uncertainties and fluctuations in labour demand.

220. The subordination of child workers to such pressures has been aggravated in Ethiopia by urban unemployment and underemployment. In such circumstances, the employment of children becomes an essential means of generating or supplementing family income. The poverty or unemployment of parents has forced children to work in households as domestic servants, in small enterprises or in street trades. At worst, they are drawn into such activities as begging, prostitution and drug trafficking.

221. The problem of child labour in both rural and urban areas of Ethiopia is, therefore, principally one of poverty and unemployment, both of which are a result of uneven and low-level development. Pending improvements in the economic condition of the country it is the policy of the TGE that progressive measures should be taken aimed at regulating and humanizing the work of children so that they are given some protection against conditions that jeopardize their normal physical and mental development. Such measures include the adoption and enforcement of protective labour laws whose content was cited in chapter II, paragraph 37 of this report.

2. Exploitation and sexual abuse

222. There are as yet no definitive studies that indicate the extent of child abuse, neglect and exploitation in Ethiopia. Currently, however, with Italian cooperation, CYFWO is undertaking a countrywide study on child abuse and neglect.

223. Child abuse, be it physical or sexual, is punishable by law. Acts such as homicide, infanticide, assault, maltreatment, abduction and abortion entail criminal liability for which different penalties are prescribed by the Penal Code. According to the Penal Code, child rape is a serious offence and a person convicted of this act may face up to 15 years of imprisonment. Inducing a child below 15 years of age to sexual intercourse is also a crime punishable by up to eight years of imprisonment. Five years of imprisonment may be imposed on a person who benefits from trafficking in young persons by inducing them to engage in prostitution even with their consent (arts. 587-607). Activities tending to corrupt morals have also been made offences by the law. The sexual act or any obscene act or gesture which is grossly offensive to decency or morals deliberately performed in a public place especially in the presence of children is punishable with imprisonment not exceeding three years (art. 608). Anyone who, for gain, knowingly exhibits, hands over or delivers to children under the age of 15 years obscene or indecent material in the form of writings, images, posters or film is

subject to imprisonment and fine. Displaying publicly, for gain, in a shop window or other visible place to misdirect the sexual instinct or to arouse in children under 15 years of age antisocial feelings which are inimical to the family spirit is prohibited by the Penal Code, the violation of which has a consequence of fine and imprisonment (arts. 610, 613).

224. The existing laws are by and large compatible with article 19 of the Convention. The problem in this respect is the difficultly in implementing these laws which together with the commitment of the Government require trained manpower and an adequate institutional infrastructure for their effective implementation. In addition, resource limitations, cultural factors and lack of awareness of child rights have had a negative impact on the implementation of existing laws.

Conclusions

225. The past 17 years of military dictatorship, disastrous civil wars and economic stagnation and decline have resulted in the impoverishment of the population and the grave situation of Ethiopian children. This trend was reversed after the formation of the TGE and the adoption of the National Charter for Peace and Democracy in July 1991. In its first three years, the Transitional Government has initiated noticeable changes in the economic and social front, by formulating and implementing comprehensive macroeconomic and social policies which are expected to contribute to the improvement of the living standards of the people and to the well-being of Ethiopian children.

226. The period after 1991 marks a new era of legal development in the country. The adoption of the National Charter, the ratification of the Convention on the Rights of the Child (1992) and the subsequent ratification and endorsement of the basic human rights instruments of the United Nations (1993) ensured the political, civil, economic and cultural rights of all citizens in general and of Ethiopian children in particular.

227. The right of the child to parental care and legal protection is adequately covered by the Civil Code of 1960. The Penal Code of 1957 provides sufficient protection to children against all forms of malicious treatment and exploitation by parents, guardians or other members of society. Hence, the legal rights of children stipulated in the laws and other legal instruments of the country are on the whole compatible with the Convention on the Rights of the Child. Therefore, though necessary at a later stage, the harmonization of the existing laws and policies with the provisions of the Convention does not appear to be an immediate priority task.

228. The implementation of the Convention in Ethiopia has to be seen in the light of the legacies of the military regime, chronic underdevelopment and extreme resource constraints facing the country. Hence, the main problems hampering the implementation of the Convention are related to the difficult socio-economic situation, the lack of the requisite manpower and institutional infrastructure in many parts of the country, lack of public awareness regarding the Convention on the Rights of the Child as well as harmful traditional practices.

229. Despite the above-cited problems, the TGE has taken a number of economic and social party measures during the past three years. The preparation of a draft National Programme of Action for children and women (1994-2000) is the cardinal measure taken by the Government towards the implementation of the Convention on the Rights of the Child. The draft NPA has been prepared taking the objective realities and capacity of the country into account. It establishes main targets and courses of action for the survival, development and protection of Ethiopian children up to the year 2000.

230. The participatory development approach emphasized by the Government and the policy of decentralization which gives greater legislative, administrative and financial autonomy to regional self-governments facilitate and increase the opportunities for the delivery of essential services to children.

231. As the focal point for programmes and services related to children, CYFWO is involved in the coordination of the activities of governmental institutions, NGOs and community and private organizations. The challenge now is to expand existing services, initiate and develop new programmes designed to increase the extremely limited accessibility of basic services to children and ensure better coordination by strengthening the already established committees at the central, regional, woreda and community levels for the implementation of the Convention.

232. With regard to the health sector, there are serious constraints such as shortage of trained health personnel to implement various primary health-care programmes, shortage of essential equipment and drugs in health units (MCH equipment, cold chain equipment, etc.), limited access to health facilities and inadequate budget. The sector received only 4 per cent of the national budget in 1992. The basic indicators of children's well-being such as the infant, under five, and maternal mortality and morbidity rates are excessively high. The New Health Policy and Strategy emphasize the democratization and decentralization of the preventive components of health care and assurance of accessibility of health care for the population, especially for children and mothers. The implementation of the primary health-care programme elaborated in the draft NPA will focus on control of acute respiratory infections, diarrhoeal diseases, the six vaccine-preventable infections, the reduction of malnutrition and provision of safe water and sanitary means of waste disposal. The implementation of these measures will significantly reduce child morbidity and mortality rates and ensure the survival and development of Ethiopian children.

233. With respect to education, the sector faces the immense challenge of making basic education accessible to all school-age children. The main constraints of the sector pertain to low participation rates, lack of qualified teachers, uneven distribution and inadequate utilization of educational inputs, a curriculum divorced from the existing reality, lack of equitable access to schooling for many rural and female children and an inadequate budget. In 1991, the sector's expenditure amounted to less than 9.5 per cent of the government budget. The new Education Policy and Strategy express the Government's commitment to the expansion of preschool and primary education. The immediate objectives, as specified in the draft NPA, are to increase preschool intake from the present 1.4 per cent to 10 per cent and to expand primary education to reach a participation rate of 50 per cent by the

year 2000. The main innovative strategy for the universalization of access to basic education and equitable distribution of opportunities is the establishment of Community Education Centres.

234. In order to solve the prevailing problems hampering the development of education, the necessary measures relating to legislative, administrative and policy issues have been put into effect. This refers to the adoption of the New Education Policy, the decentralization of educational planning, management and operation of preschool and primary level education to regional administrations, the use of nationality languages as medium of instruction at these levels, and the restructuring of the Ministry of Education. The largest allocation of the government budget for 1994/95 was for the education sector.

235. The problems with regard to secondary education, such as the lack of a relevant curriculum related to the needs of the students and the world of work, are being tackled. The primary focus at this level is on changing the curriculum, curtailing further development in urban areas and increasing the low participation rate in rural areas through continuous research and evaluation. Several programmes are designed, within the framework of the NPA, to solve the problems at the preschool, primary and secondary levels.

236. With regard to children in especially difficult circumstances, there is now a wide disparity between the large number of children in this category and the low coverage of programmes and services designed for the target group. Most of the services (over 50 per cent) are provided by NGOs, in particular the services for orphaned, abandoned, destitute and street children. The priority task is the expansion of community-based programmes, and strengthening the intersectoral coordination and linkage among programmes run by government agencies, NGOs and local communities.

237. So far there are no reliable and adequate data on the extent, causes and characteristics of child abuse, neglect and exploitation. In particular data on drug abuse, sexual abuse and child labour are lacking. Nationwide studies to assess the magnitude of such problems are therefore priority tasks included in the draft NPA. In addition, the national population and housing census undertaken in October 1994 is expected to provide relatively more complete and reliable demographic and other data pertaining to the whole population including children.

238. In view of the legacies of the past regime and the serious socio-economic problems facing the country, what has been accomplished so far is not inconsequential, but this should not obscure the many challenges that lie ahead for the Government and the society in ensuring in practice the survival, development and protection of Ethiopian children during the coming decade. Over the next six years priority needs to be given to the implementation of the Convention and especially to the following major tasks:

(a) Improve the nutritional status of children;

(b) Increase the primary health-care coverage;

(c) Increase the coverage of preschool and primary education through innovative approaches;

(d) Expand comprehensive prevention and care programmes for children in especially difficult circumstances and formulate concrete programmes especially for street and working children;

(e) Intensify measures to publicize the Convention, on a regular basis, in all regions and localities;

(f) Achieving the targets set out in the NPA.

239. The National Social Policy is an expression of the commitment of the Government and people of Ethiopia to the well-being and development of children. NGOs, international organizations and friendly Governments have up to now made substantial contribution by providing services to a number of children in need to care who would otherwise have had no access to such services. Once again, it suffices to note that, for the realization of the modest goals set out in the draft NPA for the period 1994 to 2000, the all-round assistance and support of international agencies, bilateral sources and NGOs is urgently needed more than ever before.

Statistical annex

Surface area (in million km^2)	1.13
Density (inhabitants per km^2) (1990)	44
GNP per capita (US$ 1991/92)	120
Rate of inflation (%) 1992/93	10
% of population below absolute poverty level,	
1977-1987 urban	60
rural	65
Total population (in millions) (1994)	52.8
Population under 15 years of age (in millions)	24.5
Population 0-4 years of age (in millions)	9.3
Population 5-9 years of age (in millions)	8.5
Population 10-14 years of age (in millions)	6.7
Population annual growth rate (%) (1992)	3
Life expectancy at birth (1992)	51
% of population urbanized (1988)	12
Adult literacy rate (in %) (1992)	76
Under five mortality rate	161
Infant mortality rate	111
% of children 6-59 months suffering from	
underweight	47
wasting	8
stunting	64
% of fully immunized one-year-old children (1993)	
BCG	46
DPT3	28
Polio 3	28
Measles	23
Pregnant women (TT2)	13
ORT use rate	38

Maternal mortality rate (per 100,000)	700
% of births attended by trained health personnel	14
Total fertility rate (1993)	7.7
Contraceptive prevalence (in %)	4.8
% of age group enrolled in primary school - 1993	
Total	19.7
Boys	23.2
Girls	16.2
Daily per capita calorie supply as % of requirements	71
% of population with access to health services	45
% of population with access to safe water	
Total	19
Rural	12
Urban	83
% of population using pit latrines	7
% of population with access to adequate refuse disposal system	2

Source: Compiled from various documents of the Central Statistical Authority, Ministry of Health, Ministry of Education, UNICEF and the Water and Sewerage Authority.